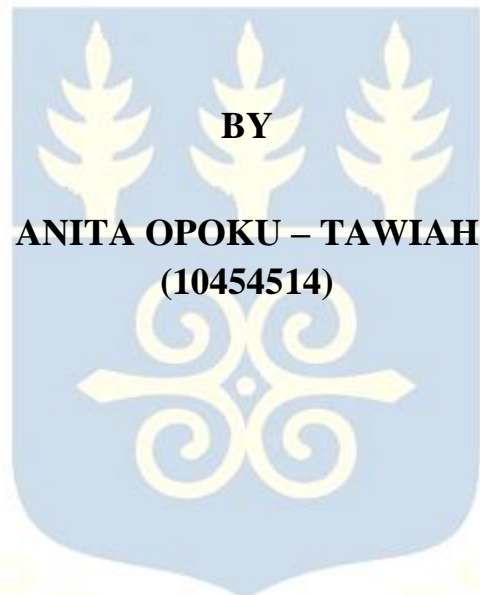


**UNIVERSITY OF GHANA**

**THE ELECTORAL COMMISSION AND FREE AND FAIR ELECTIONS  
IN GHANA'S FOURTH REPUBLIC: A CASE STUDY OF THE  
INTER-PARTY ADVISORY COMMITTEE**



**THIS THESIS IS SUBMITTED TO THE UNIVERSITY OF GHANA,  
LEGON IN PARTIAL FULFILMENT OF THE REQUIREMENT FOR  
THE AWARD OF MASTER OF PHILOSOPHY (M. PHIL)  
DEGREE IN POLITICAL SCIENCE**

**OCTOBER, 2020**

**DECLARATION**

I Anita Opoku – Tawiah do hereby declare that except for references to the works of other authors duly acknowledged, this work is my own original research study under the supervision of Dr Kwame Asah - Asante and Dr Hassan Wahab. This thesis has not been presented either in part or in whole to any institution for the award of any degree. I therefore, bear full responsibility for any omission or errors in this work.

  
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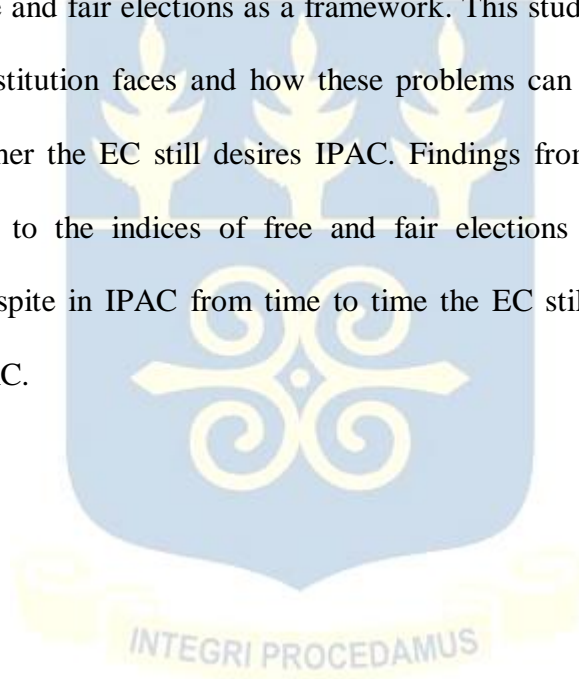
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## ABSTRACT

The 1992 broached election of Ghana saw the transformation of its' EMB from INEC to EC and its success in conducting free and fair elections over the years has placed Ghana on high pedestal as the beacon of democracy in Africa. However, this achievement could not have been possible without the help of IPAC – a stakeholder consultation forum. Although IPAC is not backed by law and faces many challenges, it has made impact in Ghana's democratic dispensation and attracted a replication in other African countries. This study attempted to assess IPAC's contribution to free and fair elections in Ghana with the aid of Goodwin-Gill (1994)'s indices of free and fair elections as a framework. This study further investigates the challenges informal institution faces and how these problems can be solved. Additionally, this study assess whether the EC still desires IPAC. Findings from the study showed that IPAC has contributed to the indices of free and fair elections although it faces some challenges and that despite in IPAC from time to time the EC still desires IPAC and thus continually engage IPAC.



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## **DEDICATION**

I dedicate this work to my unborn angel and my sweet mother Angelina Yeboah without whom this pursuit would not have been possible. Thank you Mamalito!



**TABLE OF CONTENT**

DECLARATION .....	ii
ABSTRACT .....	iii
ACKNOWLEDGEMENT .....	iv
DEDICATION .....	v
TABLE OF CONTENT .....	vi
LIST OF ABBREVIATIONS .....	ix
<b>CHAPTER ONE</b> .....	<b>1</b>
<b>INTRODUCTION</b> .....	<b>1</b>
1.1 BACKGROUND OF THE STUDY .....	1
1.2 STATEMENT OF THE PROBLEM .....	4
1.3 OBJECTIVES OF THE STUDY .....	7
1.4 SIGNIFICANCE OF THE STUDY .....	7
1.5 OPERATIONALIZATION OF CONCEPTS .....	8
1.5.1 Democracy .....	8
1.5.2 Free and Fair Elections (FFE) .....	8
1.5.3 Indices of Free and Fair Elections (IFFE) .....	8
1.5.4 Electoral system (ES) .....	9
1.5.5 Electoral Management Bodies (EMBs) .....	9
1.5.6 Electoral Reforms (ER) .....	9
1.5.7 Electoral Stakeholders (ES) .....	10
1.6 ORGANISATION OF THE STUDY .....	10
<b>CHAPTER TWO</b> .....	<b>11</b>
<b>LITERATURE REVIEW</b> .....	<b>11</b>
2.0 INTRODUCTION .....	11
2.1 STUDIES ON FREE AND FAIR ELECTIONS .....	11
2.2 STUDIES ON ELECTORAL MANAGEMENT BODIES .....	15

2.3 STUDIES ON ELECTIONS IN GHANA.....	22
2.4 STUDIES ON THE ELECTORAL COMMISSION OF GHANA .....	26
<b>CHAPTER THREE .....</b>	<b>30</b>
<b>THEORETICAL FRAMEWORK .....</b>	<b>30</b>
3.0 INTRODUCTION.....	30
3.1 HISTORICAL INSTITUTIONALISM (HI) .....	30
3.2 STAKEHOLDER THEORY .....	33
3.3 APPLICATION OF THEORIES .....	35
<b>CHAPTER FOUR.....</b>	<b>38</b>
<b>RESEARCH METHODOLOGY .....</b>	<b>38</b>
4.0 INTRODUCTION.....	38
4.1 RESEARCH DESIGN.....	38
4.1.1 Qualitative Research Design.....	38
4.2 SOURCES OF DATA.....	39
4.3 DATA COLLECTION INSTRUMENT .....	40
4.3.1 Interviews.....	40
4.3.2 Interview Guide.....	42
4.4 TARGET POPULATION .....	43
4.5 SAMPLING PROCEDURE .....	43
4.5.1 Sample .....	44
4.6 DATA ANALYSIS .....	44
4.6.1 Inductive Analysis.....	45
4.7 ETHICAL CONSIDERATION .....	46
4.8 LIMITATIONS OF STUDY .....	46
<b>CHAPTER FIVE.....</b>	<b>48</b>
<b>DATA ANALYSIS &amp; DISCUSSION OF FINDINGS .....</b>	<b>48</b>
5.0 INTRODUCTION.....	48

5.1 CONTRIBUTIONS OF IPAC AND EC IN ENSURING FREE AND FAIR ELECTIONS .....	48
5.1.1 Electoral Law and System .....	49
5.1.2 Election Management .....	51
5.1.3 Voter Registration .....	53
5.1.4 Balloting, Monitoring and Result .....	55
5.1.5 Complaint and Dispute Resolution.....	59
5.2 CHALLENGES CONFRONTING IPAC AND HOW THEY CAN BE ADDRESSED. 63	
5.2.1 Mistrust within members of IPAC. ....	63
5.2.1.1 Mistrust between the political parties and the EC.....	64
5.2.1.2 Mistrust between political parties.....	65
5.2.2 Poor Communication.....	67
5.2.3 Entrenched Positioning.....	71
5.2.4 Funding .....	75
5.3 EC STILL DESIRING IPAC.....	77
<b>CHAPTER SIX</b> .....	81
<b>SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS</b> .....	81
6.0 INTRODUCTION.....	81
6.1 SUMMARY OF FINDINGS .....	81
6.2 CONCLUSION .....	85
6.3 RECOMMENDATIONS.....	86
BIBLIOGRAPHY .....	87

## LIST OF ABBREVIATIONS

AAEA	Association of African Electoral Authorities
BMR	Balloting, Monitoring and Result
BVD	Biometric Voter Device
BVR	Biometric Voter Registration
CDD	Ghana Centre for Democratic Development
CDR	Complaints and Disputes Resolution
CI	Constitutional Instrument
CIDA	Canadian International Development Agency
CODEO	Coalition of Domestic Election Observers
COM	Commonwealth Observer Mission
CSO	Civil Society Organisation
DANIDA	Danish International Development Agency
DIPAC	District Inter Party Advisory Committee
EC	Electoral Commission
ECOWAS	Economic Community of West African States
EISA	Institute for Sustainable Democracy in Africa
ELS	Electoral Laws and System
EM	Electoral Management
EMB	Electoral Management Body

EP	Eagle Party
ER	Electoral Reforms
ES	Electoral Stakeholders
ES	Electoral System
EU	European Union
FFE	Free and Fair Election
FPTPS	First Past The Post System
HI	Historical Institutionalism
ID	Identification Card
IDEA	International Institute for Democracy and Election Assistance
IDEG	Institute for Democratic Governance
IEA	Institute of Economic Affairs
IFES	International Federation of Electoral System
IFFE	Indices of Free and Fair Elections
INEC	Interim National Electoral Commission
IPAC	Inter-Party Advisory Committee
IPRAN	Inter Party Resistance Against New Voters Register
NDC	National Democratic Congress
NIP	National Independence Party
NPP	New Patriotic Party

ODA	Overseas Development Agency
PHP	People's Heritage Party
PNC	People's National Convention
RIPAC	Regional Inter Party Advisory Committee
RRC	Registration Review Committee
SC	Supreme Court
ST	Stakeholder Theory
UFP	United Front Party
UNDP	United Nations Development Programme
USAID	US Agency for International Development
VR	Voter Registration





## CHAPTER ONE

### INTRODUCTION

#### 1.1 BACKGROUND OF THE STUDY

Democracy as a system of government has become popular in many countries across the globe. From Africa to Asia and certain parts of Europe hitherto were undemocratic have now shown appetite for democratic system of government with their decision to replace authoritarianism with democratic system of government where holders of political power are under effective control of the people. In all the countries where this system of government is in place, tenets such as rule of law, human rights and political participation exist. Out of these tenets, elections appear to be one of the most popular tenets that is used to measure the success or otherwise of democracy. Indeed, the place of elections in a democracy cannot be wished away as it has become the globally accepted means of peaceful transfer of power from one government to the other as well as becoming an avenue for electorate to decide on who lead them at any material time. Besides, periodic free and fair elections as they are generally known are crucial for the strengthening of democratic governance. However, this cannot be attained without the contribution of certain stakeholders such as political parties, election management body, the electorate and various civil society organisations including the media and international donor organisations whose activities go a long way to strengthen the frontiers of democracies. In line with stakeholder consultation, the EC after the 1992 election introduced a policy instrument, which became known as the Inter Party Advisory Committee (IPAC). IPAC is an institutional mechanism for consensus building amongst political parties and the EC. IPAC has served as a *'forum where representatives from all parties can articulate their grievances and disagreements openly, where they can interact with each other informally, and develop a better understanding of their respective positions'* (Lemarchand 1998: 6).

Notwithstanding the benefits of successful elections, sometimes the way and manner elections are conducted in certain countries tends to create more problems than benefits. It is against this background that countries continue to focus their attention on election management bodies (EMBs) and how they ensure free and fair elections. Though many EMBs exist around the globe, not all of them are functional, especially when there are no elections. Typical of them are temporal ones who only function during electoral periods. However, permanent EMBs are those that exist all year round and work full time to undertake various electoral duties. Ghana, South Africa, Australia and Canada are said to be in this category (IDEA 2014).

As an important variable in the electoral equation, EMBs are categorised into three broad models and these include governmental, independent and mixed. While the governmental model entails having EMB's that are part of the ruling government. The elections are organized and managed by the executive branch through a ministry or local authorities led by a minister or civil servant answerable to cabinet minister. This model is common in countries including Denmark, United Kingdom, Switzerland and United States. Meanwhile the independent model which are in vogue in countries like Ghana, South Africa, Nigeria, Canada, Costa Rica, Thailand, Poland and Georgia tend to be institutionally independent and autonomous from the executive branch of government and has its members outside the executive arm of government. Finally, the mixed model relates to EMB's being made up of two component and have a dual structure. The dual structure is usually a policy, monitoring or supervisory EMB that is independent of the executive branch and an implementation EMB located within a department of state and/or local government. The mixed model is adopted by countries such France, Spain, Senegal, Mali and Japan. Though in representative democracies, the source of EMBs' independence and impartiality are the constitutions and other laws established in the countries these bodies operate, other factors like composition of

EMB, mode of appoint, source of funding, mode of removal, remuneration, among others, go a long way to determine the impartiality of EMBs and their ability to deliver credible elections. Indeed, the effective operations of EMBs and the fostering of agreement on the rules of the game is key to building confidence in the electoral process, which is crucial in ensuring free and fair elections (Debrah, 2011).

Ghana's Fourth Republic is by far the longest Republic since the attainment of independence in 1957. From that time, the country has made tremendous efforts to consolidate the country's nascent democracy, thus making it possible for the country to attain three successful turnovers in seven elections. The institution that is, in charge of managing elections in the country is the Electoral Commission (EC), which started as the Interim National Electoral Commission (INEC). INEC organised the first parliamentary and presidential elections, which ended up in a controversy with all the four major opposition parties alleging fraud, rigging in the presidential election, and subsequently boycotting the parliamentary elections in 1992. With this situation, the future of the country's new democracy was left in a fix as a number of people doubted whether the country's democracy was going to survive. In order to fix the problem, the EC undertook a number of measures that aimed at not only reforming and improving the electoral system but also boosting the confidence people have in the new country's electoral system. The consequence of the reforms led to a number of developments including the establishment of the Inter-Party Advisory Committee (IPAC), which, among other reasons, aimed at ensuring consensus, trust, credibility and transparency in the discharge of the EC's duties, as well as building the confidence of the political parties in the electoral system. There is no doubt that the decisions of the EC have contributed significantly towards some of the success stories of the EC in the management of elections in the country (Ninsin, 2006,p. 64; Ayee, 1997,p. 10).

## 1.2 STATEMENT OF THE PROBLEM

Following the emergence of the third wave of democracy in the 1970s, a number of countries, which hitherto were authoritarian, became democratic (Huntington, 1991, p.15). From this time onwards, several states joined the bandwagon and intensified their efforts to establish the various tenets associated with this particular system of government in order to sustain the system (Huntington, 1991). This efforts by the countries was justified on the grounds that one of the problems that has worked against the growth of democracy, particularly in developing countries, has been the issue of democratic reversals, where citizens respond to economic and political challenges within the state by abandoning the democratic status quo and returning to the old system of authoritarianism. Countries such as those in Latin America and Africa remain the best examples in this regard.

Before 1992, Ghana experienced political instability because of numerous military interventions. Following consensus by the country's political elites, democracy was re-introduced and this curtailed the instability, hence the emergence of the Fourth Republic. Thus, in order to prevent the nascent democracy from relapsing into authoritarianism, a number of efforts were made by successive governments, beginning from the maintenance of rule of law, through the protection of human rights to the conduct of regular free and fair elections. One remarkable effort that has been seen in recent times is the effective management and conduct of various elections in the Fourth Republic. So far, seven successful elections and three democratic handovers have been experienced since 1992. This is in spite of the initial controversy that surrounded the 1992 election leading to its boycott by the major opposition parties including the New Patriotic Party (NPP), People's National Convention (PNC), People's Heritage Party (PHP) and the National Independence Party (NIP)

Since 1992, the Electoral Commission (EC), has been at the forefront of these processes, and is credited with the introduction of various innovations into the electoral system. These include the establishment of the Inter-Party Advisory Committee (IPAC), which has the responsibility of providing advice for the EC on matters of elections. The IPAC, which serves as a mechanism for promoting interparty relations. IPAC comprises of representatives of the EC, registered political parties and some international donors including the US Agency for International Development (USAID), the European Union (EU), the Danish International Development Agency (DANIDA) and the British Overseas Development Agency (ODA). Others are the Canadian International Development Agency (CIDA) and the International Federation of Electoral System (IFES) (Ayee, 1998; Omotola, 2013).

It must be stated that, due to the important position the EC occupies in the country's democratic space, there have been a number of studies regarding the work of the EC, particularly after the 1992 elections. In this connection, the works of Gyimah – Boadi (1999) and Frempong (2012) looked at the institution of the EC in the country's electoral process in general. As Debrah (2013) observes, while most of the studies have focused on the various aspects of the Commission's mandate, others have highlighted the EC's role in electoral management. Moreover, other studies place emphasis on subjects like conflict, the media and other civil society organisations. Again, studies such as those undertaken by Gadzekpo (2008), the Ghana Centre for Democratic Development (CDD), Boadu-Ayeboafoh (2001) also centred on the media and free and fair elections (Asah- Asante, 2015).

Notwithstanding all these studies, there is very little or no study in the literature on how the EC as an institution has generally contributed towards the strengthening of the country's nascent democracy through free and fair election. This position has been re-echoed by Debrah (2011) who maintains that an aspect of the work of the EC which appears to be missing in the literature relates to its ability to foster agreements on the various rules

concerning the electoral administration in the state; a position that makes it difficult to have a holistic picture about the contributions of the IPAC towards free and fair elections.

Thus, following the 1992 election controversies, the EC set out to improve its election management capacity by undertaking a number of measures that led to the establishment of the IPAC in March 1994, which has since assisted the EC to take certain critical decisions that have helped boosted the confidence of voters and also promoted transparency of the electoral process. Some of the achievements that have been chalked in this regard include the holding of both presidential and parliamentary elections on the same day, the use of transparent ballot boxes with number seal and the introduction of photo ID cards. Furthermore, the IPAC, apart from providing the opportunity for the various political parties to share their opinions on various important issues, it also serves as a useful platform for building consensus on important electoral issues (Ayee, 1998). There is no gainsaying that the IPAC, since its inception in 1994 has contributed immensely towards assisting the EC in handling some pertinent electoral issues. However, very little is known about the extent to which it has contributed towards sustaining the current democracy. Even where studies have been carried out in this regard, the findings are outdated, and as such, do not reflect the changing circumstance of the time. Thus, there is little or no evidence regarding IPAC's contribution towards the consolidation of the country democracy, especially in the last two decades.

Scholars such as Diamond and Ayee aptly underscore that, ethos such strong institutions and frequent elections are crucial in ensuring a consolidated democracy (Arthur, 2010). They argue for instance that, for democracy to be sustained, it is important for the various institutions of governance, including the EC to be strengthened and reformed. Similarly, Ayee (1998) dilates on the important role elections play in a democratic process. He maintains that, democracy can only be sustained where there exist free and fair elections,

which are organised in a manner that allows all the stakeholders in the electoral process to accept the existing electoral process and their outcomes.

Thus, the central problem of this study is to investigate the contribution of the IPAC in sustaining of the country's democracy through free and fair elections. This study also attempted to unearth the challenges that have militated against the performance of the said institution in Ghana's Fourth republic and find pragmatic approach to solve these challenges. It additionally investigates if the EC still desires IPAC in its operations.

### **1.3 OBJECTIVES OF THE STUDY**

2. Investigate the contribution of IPAC in ensuring free and fair elections.
3. Examine whether or not the EC still desire IPAC in the course of its work.
4. Contribute to the discussion on the EC and elections in the country's democracy.

### **1.4 SIGNIFICANCE OF THE STUDY**

Ghana by large is seen as the beacon of democracy in Africa as its Fourth republic has witnessed great political stability. Elections in Ghana have generally been hailed as free and fair both domestically and internationally thus, it is imperative to research into institutions like the EC and IPAC which have contributed to the chalking of these successes. This study is significant, as it will add to the body of literature on elections in Ghana, serve as a roadmap, and give useful insights to other countries especially those in African to emulate and improve their electoral systems.

Furthermore, in assessing IPAC and EC, the challenges that they face became evident and allowed the study to develop efficient recommendations on how IPAC as an agent of the Electoral Management Body of Ghana can be strengthened to renew its positive impact on the EC to ensure Free and Fair elections in Ghana's Fourth Republic.

## **1.5 OPERATIONALIZATION OF CONCEPTS**

### **1.5.1 Democracy**

Schmitter & Karl (1996: 50) define democracy as “a system of governance in which rulers are held accountable for their actions in the public realm by citizens, acting indirectly through the competition and cooperation of their elected representatives”. This study will adopt this definition to make democracy mean a system of government where public office holders are made to account for their actions and inactions.

### **1.5.2 Free and Fair Elections (FFE)**

According to Frempong (2012, p.11) election is “a means for citizens to exercise their right of participation based on the assumption that each voter possesses the ability to make free and rational decisions or choices”. For this study, free and fair election relates to an election which gives equal opportunities to all candidates, and the results reflect the will of the people in the absence of any force or coercion. All elections in this study connotes presidential and parliamentary elections in Ghana.

### **1.5.3 Indices of Free and Fair Elections (IFFE)**

Goodwin – Gill (1994) has developed various indices for free and fair election which include: Electoral law and system, Constituency delimitation, Election management, Right to vote, Voter registration, Civic education and voter information, Candidate, political parties and political organisation, Electoral campaigns, Balloting, monitoring and results and Complaints and dispute resolution. Many of these tenets of free and fair elections are largely the responsibilities of EMBs. These indices will be used as a framework to measure the role of IPAC and EC in ensuring free and fair elections

#### **1.5.4 Electoral system (ES)**

According to the Association of African Electoral Authorities (AAEA), electoral system comprises the laws, rules, rights, institutions, roles, process and formulas necessary for elections. In addition, these rules apply from the pre-election phase, through to election phase and post- election phase. Similarly, Electoral System has also been defined by Reynolds et al (2005) as a system for translating votes cast to seats won by parties or candidates. In this study, we will adopt the definition of AAEA by referring to ES as the laws, rules, rights, institutions, roles, process and formulas necessary for elections.

#### **1.5.5 Electoral Management Bodies (EMBs)**

The IDEA (International Institute for Democracy and Electoral Assistance) defines EMB's as institutions "which have the sole purpose of, and are legally responsible for, managing some or all of the elements that are essential for the conduct of elections and of direct democracy instruments – such as referendums, citizens' initiatives and recall votes – if those are part of the legal framework" (IDEA, 2006:5). In the study, we will implore the definition given by IDEA (2006).

#### **1.5.6 Electoral Reforms (ER)**

Electoral reforms are changes that are made in an electoral system to improve public desires (Butler, 2004) and these reforms may not be a total overhaul of national electoral processes but an adjustment in some electoral processes. In a similar vein, Gyampo (2017) explains ER to be any change in an electoral process that improves, and makes it more responsive to the expectations of the electorates. This study will adopt the definition by Gyampo for the explanation of ER.

### **1.5.7 Electoral Stakeholders (ES)**

Carroll (1993:60) defined stakeholders as "those groups or individuals with whom the organization interacts or has interdependencies" and "any individual or group who can affect or is affected by the actions, decisions, policies, practices or goals of the organization". For this study, Electoral stakeholders are all parties, the EC works with because they have an interest in elections and electoral processes of the country and can affect elections in one way or the other.

### **1.6 ORGANISATION OF THE STUDY**

This work is organized under six chapters. Chapter One focuses on the introduction and background of the study. It also encompasses the statement of the problem, objective of the study, significance of the study, operational definition of concept and organisation of the study. Chapter Two discussed the literature relating to the subject under study. This was done taking into cognizance some key variables of the study with the view to filling the lacuna in the literature. Chapter Three also looked at the theoretical frameworks used and how they apply to this study. Chapter Four is the methodology and it dwelled on the method of data collection and data analysis. These comprised the research design and sampling techniques, amongst others. Chapter Five focused on analysis and discussion of data for the study. Finally, Chapter Six contains the highlights of the summary, research findings and conclusion of the study and additionally, covers the recommendations of the study.

## CHAPTER TWO

### LITERATURE REVIEW

#### 2.0 INTRODUCTION

This chapter focuses on review of existing literature in the field of our study and it will be looked at along four main themes, which are:

- Studies on Free and Fair elections.
- Studies on Electoral Management Bodies.
- Studies on Elections in Ghana.
- Studies on Electoral Commission of Ghana.

#### 2.1 STUDIES ON FREE AND FAIR ELECTIONS

Sorensen (1993) and Diamond et al (1995) examine the features of democracy and bring out their significant roles to election. They identify the main features of liberal democracy as including: citizens' participation in politics, competitiveness of political actors, particularly political parties; and the availability of a range of social and political freedoms, including freedom of speech, association as well as the media, sufficient to guarantee the dignity and participation in political competition. They however maintain that all the three features are linked to the election process, which is also an indication of the vital role that elections play in any democratic dispensation. This study however fails to look at elections directly and the role EMB's play in such an enterprise. Our study will fill this lacuna by exploring the role of the IPAC in ensuring electoral success to promote democracy in Ghana.

Bishop and Hoeffler (2016) also discuss what constitutes free and fair elections. They identify ten indicators for measuring free and fair elections. These are the existence of a legal framework, electoral management bodies, voters' rights, voter register, ballot access, campaign process, media access, voting process, role of officials and counting of votes.

According to them, these indicators are in tandem with the USAID criterion for free, credible and fair elections.

They also explain ‘freeness’ to mean adult citizens having the right to register and vote as well as the right on the part of the electorate to establish and join parties including campaigns. On the other hand, they view ‘fairness’ as referring to equal treatment of all persons within the political space.

The work by Bishop and Hoeffler sheds light on what free and fair election should look like. Our study will build on the work of these two scholars by assessing the contribution of IPAC to the some of the indicators of free and fair election in Ghana.

The USAID (2019) discusses the prerequisites for free and fair elections. They argue that a country is truly democratic when its citizens have the opportunity to choose their representatives through free and fair elections. To them, free and fair elections play a critical role in political transitions by advancing democratization and encouraging political liberalization that is, helping to promote peaceful, democratic political transformation that lead to increased stability and prosperity.

They further asserts that some civil liberties, such as freedom of expression, association and assembly, are needed in order for election to be free and fair. The USAID identifies the following as conditions for ensuring credible, free and acceptable elections; a credible EMB, effective supervision of the electoral process, enlightened and enthusiastic citizenry and an efficient multi-party system.

In addition to the above, the scholars maintain that free and fair elections must also be characterised by effective transfer of political power, consensus-building, democratic reforms and sustainable local engagement as well as effective governance through elected leaders and bodies, including women and disadvantaged groups.

This study is relevant to our topic because it provides the prerequisites for free and fair elections. However, these pre-requisites are too broad. Accordingly, we will focus our discussion on EMB and see how Ghana's EC has so far worked with IPAC to build consensus on matters relating to electoral issues.

Choe (1997) focuses on a comparative study of some developed countries. He analyses the role of free and fair elections in democracies by discussing how free and fair elections can be properly measured. He posits that there is no standard mechanism for measuring free and fair elections. He argues that the important factors for measuring free and fair election are an independent and impartial judiciary and electoral administrators. He maintains that measuring free and fair election can best be done with a three-stage model which looks at the pre-election stage, election stage and the post-election stage.

This work is important for our study because it explains how free and fair election can be measured. This work will utilise its three-stage model to explain how IPAC contributes to the various stages.

Teshome (2008) focuses his study on the role of elections in a democracy by looking at what Terry Karl refers to as the problem of "fallacy of electoralism". Quoting Terry Karl, Teshome explain that that fallacy of electoralism relates to a situation where election is given much weight at the expense of other tenets of democracy. He argues that successful holding of elections, particularly in Africa is a great achievement, but maintains that it is not the key to Africa's democratic legitimacy. He asserts that many elections in the Africa have failed to meet the internationally accepted standards of being free and fair. He explain that though the story of free and fair elections in Africa is mixed with some people viewing such stories on the one hand as success and in another hand as problematic, majority of Africans still consider elections as the best means for maintaining a democratic society. He concludes by

cautioning the electorate not to over-estimate the importance of elections to avoid committing the fallacy “fallacy of electoralism” (Karl 1986, 9-36; 1990, 14-15; 1995, 72-86)

This study above is important because it educates us on the need to uphold other features of democracy while being mindful of the fallacy of electoralism. Though the study acknowledges the importance of elections, it fails to look at the role of EMBs in elections. Our work will accordingly address this problem by looking at the IPAC and EC’s role in ensuring free and fair elections, thus taking into consideration how the two institutions are able to work together to build consensus on electoral issues in order to effectively discharge its responsibilities.

In a related study, Adejumobi (2000) focuses on elections in Africa. He explains that election is an important component of liberal democracy, arguing that it is the best way to ensuring succession and change of government in a legitimate way. He further argues that elections define the basis of some of the important issues in governance including political authority, legitimacy and the obligation of citizens.

He observes that for the past decade, Africa has experienced some democratic reversals where soldiers have taken over some democratic regimes and only to later shed their authoritarian characteristics to assume democratic ones using manipulation and other unorthodox methods to achieve their aim.

He examines the history of elections in Africa and concludes that in pre-colonial times to the early 20th century, African political systems had democratic principles like consensus and participation although it lacked the idea of political majority or minority. He notes that Africa’s acceptance of multi-party democracy and its attendant tenet of election is because of the decline in economic fortunes of the states in Africa and the endemic poverty levels.

This work is useful because it provides a historical overview of elections in Africa. The work further throws light on the condition that gives room for people to doubt the success of elections in Africa. Our work will build on this by looking at how IPAC has in support of the EC effectively used the principles of dialogue and consensus building to improve the democratic fortunes of the country.

Diamond (2002) views election as an important anchor for the survival of any democracy. He however cautions scholars not to view election as democracy in itself because some undemocratic regimes use it to achieve legitimacy. He therefore refers to this type of regime as “hybrid”, arguing that it has both democratic and authoritarian features. He asserts that elections allow electorates to periodically choose their leaders. He draws a line between democratic government and electoral authoritarianism.

Though the work of Diamond is significant because it touches on electoral systems, it is however broad and does not necessarily look at the institutions that support democratic governance. Our work will fill this gap by looking at the IPAC and how it has helped in promoting free and fair elections in the country.

## **2.2 STUDIES ON ELECTORAL MANAGEMENT BODIES**

Lopez-Pintor (UNDP 2000) in his work discusses the major characteristics of electoral management bodies (EMBs) using the methodologies of thematic and country specific analysis of various EMB across the globe. He observes that there are two classifications of EMBs, namely mode of appointment and structural characteristics. Under the mode of appointment, Lopez-Pintor identifies three modes; first, judicial approach, where judges are put in charge of electoral administration in a country; multi-party approach, which relates to political parties having representatives on the electoral administration board of a country's electoral body. The expert approach on the other hand involves the political parties agreeing

on a group of experienced people managing the electoral administration. Besides, he explains how the mode of appointment of EMBs can affect the powers and duties of EMBs.

The strength of this study lies in its ability to explain how the mode of appointment of EMBs influences the work of the EC. However, the work by Lopez-Pintor fails to explain some of the challenges the electoral institutions like IPAC and EC face in this regard. Our study will build on that and progress to make recommendations to improve the performance of the EC.

Quraishi (2014) discusses the challenges EMBs face in ensuring free and fair elections. He notes that many of the contemporary democracies around the world are representative in nature and as such are represented by people who have been elected by others to act on their behalf.

He argues that elections, in recent times, have become a source of concern to democratic watchers. He notes that besides costly and wasteful competitive elections, political parties, propagandists, and demagogues are increasingly manipulating elections to satisfy their selfish ends. He observes that although elections are supposed to create healthy, constructive public policy debates that inform the choices people make in elections, some of the recent incidences, particularly those aforementioned have left much to be desired. Besides, Quraishi maintains that election managers continuously face formidable challenges to keep the electoral system functional and provide a level playing field for everyone.

This discussion by the Quraishi provides a general overview of the challenges EMBs are likely to face. This study fails to acknowledge the place of consensus building in strengthening EMBs, particularly IPAC, thus this study looks at how IPAC has helped the EC in conducting free and fair elections and prevented major misunderstanding that had the potential of inhibiting the successful conduct of free and fair elections in the country.

Catt et al (2014) takes the study of EMBs to a notch further by examining the complexity and special skills that are necessary for ensuring effective EMB. Additionally, the scholars argue that for elections to deliver the public good, it is important for the state to establish institutions that are in charge of managing electoral activities of the country. The scholars argue that all over the world, different countries have various EMBs that have different responsibilities and legal framework within which they operate. Though Catt et al acknowledge the differences in the names and titles of EMBs; they maintain that all EMBs have the responsibility of managing elections in a democracy. Some of the elections EMBs conduct are referenda, by-elections, plebiscites and national elections. In addition, the specific roles performed by EMBs under these elections include determination of eligible voters, receiving and validating of the nominations of electoral participants, organisation of polls, counting and tabulating of votes cast. Other responsibilities that EMBs perform are registering of voters, determination of electoral boundaries, resolution of electoral disputes, education of voters and media monitoring. In the light of the above, the scholars maintain that different EMBs are established for different electoral processes. They buttress their arguments by stating that in Mexico and Poland, for instance, while EMBs are responsible for both presidential and parliamentary elections, in Australia, the national EMB deals with national-level elections with the state-level elections in the hands of separate state-level EMBs. Apart from the three countries stated above, the scholars identify Britain as having different EMBs for the conduct of elections and referenda. This, the scholars argue reflects how various EMBs in different countries have different levels of autonomy and responsibilities. Having said this, the scholars also argue that the legal framework within which EMBs operates is defined by factors like international and regional treaties, the constitution of the various countries, national and subnational statute laws. According to them, such international and regional treaties as well as and agreements provide the necessary

framework of norms against which a country's electoral legal arrangements are defined and assessed.

Even though this study does a comparative study of EMB's across the globe the work will greatly contribute to shaping our discussion and analysis on assessing the role of the IPAC and EC in Ghana.

The Maendeleo Policy Forum Report (2016) highlights the fragile nature of elections in Africa. It notes that in Africa, the role of EMBs is crucial in maintaining political stability after elections. According to the Report, while in Africa institutions are often too weak to support the practice of democracy, poor management of the electoral process is the main source of unequal competition, conflict and instability. The Report further observed that though elections are expected to be mechanisms for settling differences arising from the diversity of identities and interests, periodic polls on the continent have become the catalysts for violent conflicts.

The Report urges African states to take appropriate actions at the level of institutional regulations, and diversity management to enable it turn elections into something meaningful. Some of the prerequisites the Report suggests for ensuring peaceful elections include; first, the creation of EMB as well as the provision of an open and transparent mechanism for the compilation of election results by EMBs. Second, equipping the electoral management systems and engaging professional and trained staff to enhance the efficiency of managing elections and third, ensuring the independence of electoral commission in order to maintain the integrity of the elections.

This study underscores the fragile nature of elections in Africa and enumerates the prerequisites for ensuring effective EMBs. However, the study fails to look at the impact of other

Stakeholders on the EMB. Our work will therefore look at how IPAC has ensured the EC success in Ghana's Fourth Republic.

Fall and Hounkpe (2011) examine the trajectory of development of democracy in West Africa. They assert that since the third wave of democratization in West Africa in the 1980s, most countries have adopted constitutionalism and liberal democracies. This, according to them, has led to the organisation of a number of elections coupled with the protection of people's rights and liberties, which hitherto were missing in the governance practice of many states in the sub-region. The scholars explain that since the re-introduction of democracy in the 1980s, countries in the sub-region have in their bid to democratize pushed for the reduction of executive power of the states to enable the EMBs deliver the public goods and effectively perform their mandates however, this has come with its challenges. Some of the problems they identify facing the EMBs include their tenure, independence, level of professionalism and power play between the commissions and their branches. The scholars call for measures that will ensure the smooth operations of the various EMBs in order to deliver quality elections. They also ask for a healthy relationship between the electoral commission and other institutions, which are involved in the electoral process. In addition to the above, the scholars further maintain the adequate resources must be made available to the various EMBs to enable them. They also urge the states to ensure proper coordination between the various institutions involved credible elections. They conclude by urging the political actors to act as monitoring agents of the electoral process in order to create the required conditions, that is, institutional, legal amongst others for the efficient running of elections as well as creating of avenues for redress of electoral disputes. In this connection, they caution the political actors to avoid interference with regard to the functions of the EMBs to safeguard their integrity.

The work by the scholars is important to our study because while highlighting the significant roles of EMBs, which is part of the focus of our study, it also acknowledges the lingering challenges. Besides, they emphasize on the need for coordination amongst the various institutions in charge of the different aspects of election management. This study is however flagged for its general nature as it focuses on EMBs on the entire African continent. In order to make the study relevant to our work, we intend to focus our attention how the IPAC has helped the EC to organise seven successful elections since the re-introduction of democracy in 1992.

In a related study, Darnolf (2011) focuses his study on EMBs and electoral fraud. He argues that contemporary EMBs place little or no premium on their fight against electoral fraud. He argues that there is the need for electoral fraud control plan to make it possible for EMBs to deal with the problem of electoral fraud, which has in recent times, characterises elections in some societies around the globe. According to him, the efficient application of electoral fraud control mechanisms will go a long way to increase the integrity of EMBs. He therefore ask for attention to be paid to the relationship between the electoral commissions and the various judicial systems around the globe. He also ask for the establishment of certain legal principles to support the monitoring and controlling of duties and responsibilities between the various commissions around the globe and the other actors in the electoral space.

This work brings out another aspect of elections, which is, electoral fraud and the role of EMB in combating it. It goes further to recommend the need for coordination between EMBs and other institutions. This study gives our study an understanding on electoral fraud thus; we will build on it to see how IPAC has helped prevent electoral fraud in elections.

Ekundayo (2015) examines EMBs and their credibility with special attention on the Nigerian EMB. Though he underscores the importance of elections as the heartbeat of democracy, he maintains that there can be elections without a democracy. He asserts that election is

important because it is a means by which citizens express their political will by providing leadership and legitimacy for those from whom power emanates. He opines that free and fair elections are gradually losing their credibility in the eye of people from the developing world, particularly those in Africa due to factors such as poor electoral processes and management as well as weak institutions. He argues that though EMBs have an important role to play in democracies, they have sometimes not been able to live up to expectation, as their activities are fraught with irregularities, thus creating the environment for people to doubt the credibility of the EMBs in electoral processes. He asserts that the credibility and quality of elections are dependent on the level of competence and viability of the EMBs.

He describes Nigeria's elections since independence as nothing but wasted effort at democratisation. According to him, the political history of Nigeria proves that efforts at democratising has failed in the country due to the inability of its EMB to organise credible elections in the country. He expresses surprise that Nigeria's EMB is not able to learn from its previous mistakes and continues to commit the same errors that have previously worked against its efforts. Some of the factors he identifies as having affected the performance of the country's EMB include rampant military interventions, lack of autonomy and independence, mode of appointment of EMB leadership and source of funding of the INEC. He asserts that these factors inhibit the impartial and independent functions of the EC. He concludes his study by urging the country to do everything possible to ensure the credibility of EMBs in order to deliver credible elections.

This study aids our work by giving us some challenges of EMBs and thus guide our assessment of the EC performance and how IPAC has helped prevent some of the challenges of Nigeria's INEC.

In a related study, Abuya (2010) focuses his study on EMB in Africa and their mode of appointment. He notes that the success of any EMB is inherent in the citizens'

acknowledgement of the body as legitimate. He argues that there is a positive correlation between boosting public confidence in the electoral process and public participation in the electoral process.

He adds that history of electoral fraud in the operations of African EMBs has led to weak public confidence in such electoral system. He asserts that the mode of appointment of EMB officials sometimes undermines their independence. He therefore criticizes the appointment of the officials of EMBs by ruling governments and advises that such appointments must not be in the hands of presidents.

Abuya's arguments about the appointment of EMB officials falls short to be generalised everywhere as some EMBs have been successful in their roles although they were appointed by ruling governments and Ghana is a case in point. This work is however relevant to our study because it provides education on the modes of appointment of EMBs and how they affect their effective operations. We will take a cue from this study and examine the specific innovations that have been introduced by the EC to improve elections in the country. Part of our effort is to find out the extent which such innovations have improved or undermined elections in the country.

### **2.3 STUDIES ON ELECTIONS IN GHANA**

The work of Eshun (2018) examines the growing interest of elections observers and watchers in the democracy of Ghana. Eshun focuses his study on the country's successes in democratisation using Huntington's two-turnover test. He notes that the conduct of periodic free and fair elections is gradually becoming the norm rather than the exception in most developing countries especially in Africa with Ghana included. He notes that since the return of the country to democratic rule in the 1990s, Ghana has successfully conducted seven democratic elections resulting in three alternations of power, thus indicating that the country has gone beyond the two-turn over test as espoused by Huntington. According to him, this

feat in democratization has contributed to the country been recognised as a democratic torchbearer on the continent of Africa.

The work by Eshun discusses the role of elections in the country's democracy, but fails to pay attention to the electoral body which manages elections. Our study will fill this gap by examining the EC and free and fair elections in Ghana by paying attention to the contribution of IPAC towards free and fair elections.

Gyekye-Jandoh (2016) discusses election observation in Ghana. She identifies the role of CSOs in election monitoring. He argues that in Election 2000, Coalition of Domestic Election Observers (CODEO), a civil society organisation, engaged in election-day observation and observance of pre-election atmosphere and activities as well as tracking of media coverage of political parties from May to December 2000. She explains the contributions of CODEO in the said election and concluded that it contributed significantly to ensuring equal opportunities to all political parties and candidates. The group observes that the 2000 elections, in most of areas, particularly those regarded as trouble-spots were actually peaceful. This, they note contributes immensely towards free and fair elections in the county.

This study shows the successes the country has chalked by way of organising various elections, which have been acknowledged by election observers. What this work failed to do was to examine how the EC was able to achieve that feat. Our work will therefore fill this gap by focusing on the EC and its activities that saw CODEO declaring the elections free and fair. We intend to find out the ways in which the IPAC which has CODEO as an observer, has worked to promote free and fair elections.

Parku (2014) in a paper titled: “Who says elections in Ghana are ‘free and fair’?” comments on how losing political parties accept outcome of the elections in the country. Though Parku notes how observers, both local and foreign, have since 2000 been hailing elections in the country and describing them as "free and fair", he express surprise on the accusations that opposition parties level against the EC anytime they lose elections. According to her, losing parties, over the years consistently tend to contest electoral results declared by the EC. He cites the 2004 and 2012 presidential elections where the NDC and NPP respectively challenged the outcomes of the two election at the law court. In the case of the 2004 presidential election, Parku maintains that three key members of the opposition National Democratic Congress (NDC) challenged the results announced by the EC at the law court, demanding the publication of the data from which the EC declared the said results. As regards the 2012 presidential election, Parku asserts that the election faced a similar challenge when the opposition NPP accused the winner of the elections, John Dramani Mahama and the NDC of rigging the election.

According to her, these objections to election outcomes by losing parties always run contrary to what national and international election observers report. She gives an example of the 2012 elections where in spite of the fact that the EC and certain civil society organisation including, Institute for Sustainable Democracy in Africa (EISA), Coalition of Domestic Election Observers (CODEO), the Economic Community of West African States (ECOWAS), and the Commonwealth Mission, found the 2012 elections as “free and fair.” On the other hand, Parku finds that individuals who tend to align with political parties that win elections are more likely to find such elections free and fair than their losing counterparts are. She therefore, concludes that in Ghana, people’s opinions on elections are mostly influenced by the electoral success of political parties. According to her, where individual party wins elections, they highly consider that election as “completely free and fair,” while individuals

whose party lose elections considers it as not “completely free and fair.” This notwithstanding, Parku maintains that most Ghanaians believe that elections are mostly conducted in a free and fair manner.

This study gives insight into some challenges of the EC and this study will build on it to show how this situation causes mistrust of EC by political parties.

Adams & Agomor (2015) discuss elections and voter behaviour in Ghana. Their work centres on the factors that influence voter choices in an election. The work of the duo analyses data from past national elections held between 1992 and 2012. They argue that Ghanaian electorates are highly influenced by ethnicity. Another factor that influence the choice of the electorate is campaign message. Between the two messages, the scholars find that ethnicity is the most influential factor of the choices of the electorate.

The study by the two scholars have brought to fore the importance of voter behaviour in elections in the country. They have also pointed out two important factors that influence the choices of voters in Ghana with ethnicity been the most influential factors. The study however, fails to look at the role of stakeholders like EC and IPAC in the country’s elections. Our study draws from this position in discussing how IPAC has supported or undermined the work of the EC.

The study of Kelly and Bening (2013) is on the 2012 elections. They argue that elections in Ghana are difficult to predict due to the varied interests of the various classes of the society. Among the various classes they identified include the ruling elite, middle class and the general masses. They wonder whether the country was ready for a president from other minority groups as opposed to the dominant Akan group. Another factor the scholars identify as difficult in predicting the elections is whether the death of the former President Mills will

cause people to vote for the NDC or not since that was the first time the country had lost a sitting President.

The scholars also were wondering whether the absence of J.J. Rawlings in NDC's campaign was likely to affect the votes of the NDC, especially where Rawlings has openly thrown his support behind his wife's newly formed National Democratic Party (NDP).

The study affirms the various dimensions that affect how people vote in elections in the country. It also helps to appreciate how difficult it is to predict elections in the country. There is no doubt that the study will deepen our understanding of elections in Ghana to enable our research assess how institutions like the EC and IPAC work to ensure free and fair elections in the country.

#### **2.4 STUDIES ON THE ELECTORAL COMMISSION OF GHANA**

The study of Okoh (2005) is on how the mode of appointment of the EC affects its functions. He argues that the appointments of EMB chairpersons and their deputies, which are done by the President who is the head of the executive, suggest that there is the risk of the EMB being manipulated by the President. Okoh's work gives our study insights on the possibility of EC manipulation to better understand the mistrust of political parties in IPAC. The work's analysis, however, appears too judgmental. It attempts to portray that the appointment of the EC is enough to indoctrinate the entire Commission into doing the bidding of the president. Our work will contribute to the existing body of knowledge by examining how the engagement of stakeholders like the IPAC has improved or undermined the performance of the EC and checked EC government manipulation.

Ayee (1997) examines the performance of EC in the 1996 elections. He explains how the EC, in spite of its performance, is still suspected by a section of the population. According to him, the EMBs were initially part of the Ministry of Interior but subsequently made independent.

He admits that the current arrangement makes it possible for the EC to undertake credible election management. He however, explains why the EC is currently facing credibility problems despite its splendid performance, which have been acknowledged from within and outside the country. He blames the problem on the failure of the government to co-opt some of the members of the various political parties into the current architecture of the Commission. He says if government is able to undertake such exercise it promotes consultation and thereby boost the confidence people have in the EC and the electoral processes.

Ayee argues that the credibility of the EC as an impartial institution in the management of electoral processes is key to the acceptance or rejection of electoral outcomes. He recounts that various reforms that have been conducted by the EC and how they have contributed to the improved performance and credibility of the Commission, especially during the 1996 elections in spite of the complaints that were made by the opposition before and after the elections.

Notwithstanding its splendid performance over the years, Ayee maintains that there are still some lingering irregularities and malpractices that have characterised elections in the country. He believes a careful examination and elimination of such problems will make it possible for the EC to conduct more credible and transparent elections, which are necessary for an endured democracy.

The study is important as it discusses the activities of the EC. He also examines the problems that have bedevilled the EC and provides the means by which such problems can be addressed. For instance, he draws our attention to the need of the electorate for wider consultation on electoral issues in order to boost people's confidence on the EC. Our work will bring to light the successes of EC in the absence of co-opting members from all political parties but rather how it uses IPAC to build consensus on electoral issues.

In another study, Gyimah-Boadi (1999a) discusses the measures taken by the EC to ensure credibility of the 1996 elections. He argues that the mistrust of the EC by the opposition parties can be traced to mode of appointment of the EC at the inception of this Republic. He posits that the reasons for the failure of the EC to deliver credible election are due to the following: the inadequate time on the part of the EC to prepare for the elections, absence of credible voter register, and neglect of electoral officials to follow the rules governing elections in the country. He mentions the new measures taken by the EC to improve public confidence and they include training of polling officials and party agents, accreditation of domestic and international observers, compilation of a new voters register, formation of IPAC among others. He goes further to identify a number of problems associated with the 1996 elections. According to him, though the EC has been carrying out a number of reforms, the voter register is one of the areas where lapses continue to exist. This, he argues makes people wonder whether the EC will ever be able to deliver credible election. Continuing, Gyimah-Boadi attributes the continuous suspicion of the EC to the source of electoral authority the EC has. He proposes a number of measures that can be used to address the problem by first, asking for the recomposition of the EC along bipartisan lines and second, institutionalism of the IPAC to enhance the credibility of the EC.

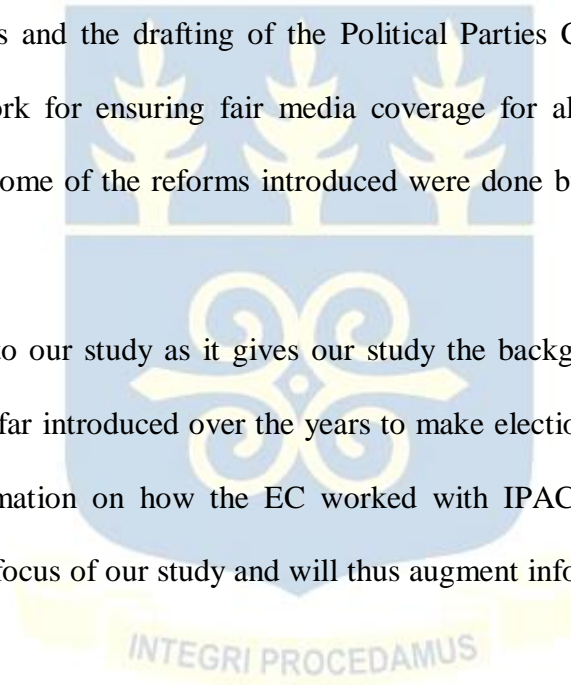
This work is instructive because it discusses the roles and problems of the EC since its inception in 1992. It also proposes measures that can be used to address the problems that have been identified. While leveraging on the studies, we will examine how the EC has worked to improve elections. Of course, such an enterprise will not exclude the specific contributions that IPAC have so far made towards the promotion of free and fair elections in the country

Debrah (2001) examines the specific reforms and innovations that were introduced by the EC after the 1996 elections to ensure free and fair contest in 2000. He discusses the 1996 reforms

that were undertaken by the EC and went further to shed lights on some failures of the EC in the 1996 elections. Notable among the reforms are the compilation of new voters' register, formation of IPAC, the use of transparent boxes and cardboard voting screens. Apart from the reforms, Debrah identifies a number of deficiencies with the 1996 elections and these include voting by minors and the use of fake voters ID cards by voters.

His discussion also touches on the 2000 elections. Like the 1996 elections, Debrah observes that the 2000 elections also identify a number of electoral reforms by the EC like amendment of political parties' law which the EC initiated to create the enabling environment for the various political parties and the drafting of the Political Parties Code of Conduct and the design of the framework for ensuring fair media coverage for all the contesting political parties. He notes that some of the reforms introduced were done by the EC in collaboration with the IPAC.

This work is relevant to our study as it gives our study the background information of the reforms the EC has so far introduced over the years to make election free and fair in Ghana. The work gives information on how the EC worked with IPAC to ensure free and fair elections, which is the focus of our study and will thus augment information we retrieve from the field.



## **CHAPTER THREE**

### **THEORETICAL FRAMEWORK**

#### **3.0 INTRODUCTION**

Scholars have over the years relied on different theories and their accompanying concepts to explain issues and phenomena relating to human behaviours in various societies. Thus, theories and concepts enable them to predict the future in an attempt to fully understand political and social relation and occurrences. Sutton and Staw (1995) and Haugh (2012) argued that for a theory to serve its useful purpose in a study, it must go beyond its inherent descriptive abilities and highlight the various variables in the political or social phenomenon that it seeks to explain. This will deepen the understanding of the issues it seeks to explain (Sutton and Staw, 1995, p.376; Haugh, 2012). It is on the basis of this that this study seeks to employ Historical Institutionalism (HI) and Stakeholder Theory to explain the findings of this study. The HI theory is used to explain the success of the EC in not only managing elections, but also ensuring free and fair elections in the country. On the other hand, the Stakeholder Theory is used to prove the relevance of stakeholder consultation in the increased efficiency of the EC after the 1992 election.

#### **3.1 HISTORICAL INSTITUTIONALISM (HI)**

There are many theories in Political Science, however one of the theories that best suits this study is HI. The theory, which is one of the parent theories that explains institutions and organisations and how they function within the political or legal space to shape the decisions and behaviour of those associated with institutions. HI is one of the branches of New Institutionalism which has other variants like the Rational Choice institutionalism and the Sociological Institutionalism. As one of the variants of institutionalism which was coined in the early 1990's and has come as a product of writings from many scholars like Peter Hall, Paul Pierson, Theda Skocpol, Douglass North and Kathleen Thelen. The theory places

emphasis on the important roles formal and informal rules play in shaping the behaviour and attitudes of people who have the responsibility of making decisions and mapping out strategies within the political space (Steinmo, 2005). The theory also asserts that human beings are not mere followers of rules, but people who depend on rules to maximize their interests in ways that are shaped by their individual interests which are defined within a particular societal context. It also highlights the place of history in the life of institutions by serving as a guide between the past and the present. Besides, the theory helps in predicting the actions of managers of institutions (Steinmo, 2005).

The theory rests on three main concepts, namely “path dependence,” “critical juncture” and “lock in”. Under “path dependence”, proponents of this theory postulate that conservative ideas drive policy or decision-making bodies and institutions within the political system. They also contend that institutional outcomes, more often than not, lead to feedbacks that can trigger reforms within the political system. As regards the “critical juncture”, the concept looks at problems that exist within the environment of institutions which forces institutions to take drastic measures that is not in line with their organisational culture. The “lock in” principle relates to how the political actors react to problems within the political space and the consequence of their actions on the political environment. The adherents of this theory argue that right changes that are experienced within the environment of institutions tend to ultimately sustain the institutions. The principle works to examine how actors in the political space adopt strategies that support decisions of those who are in charge of institutions.

Beyond this, the theory helps in identifying the sequence of social, political and economic events and how such events impact on the future happenings of the political system (Hall & Taylor 1996).

A major advantage of HI is its contribution to understanding institutional stability and continuity in the electoral system (Thelen, 1999). The institutional stability which is

efficiently explained through positive feedback processes ensures stable reproduction of certain institutional arrangements (Skocpol, 1992).

Secondly, HI is useful because of its ability to explain institutional origin while linking their origin to the current role it performs. Pierson (2000b) and Thelen (2001) share this view as they argue that HI does not only explain the history of institutions but also draw the link between their origin and the role they play in present times. The practicability with which HI links history to contemporary times makes it desirable to many scholars.

An additional strength of HI is the employment of the three core concepts (lock in, critical juncture and path dependence) in institutional analysis. HI allows for a holistic assessment of a situation along the combination of the three concepts aforesaid, thus giving the study a comprehensive outlook. HI tries to use the various concepts as supplementary to each other for a holistic assessment of any given situation. This is done to enable researcher to explain a phenomenon thoroughly through a combination of different concepts, instead of solely relying on only one concept to explain part of a whole issue or situation.

Finally, Katznelson (1998) argues that HI has the advantage of providing leverage by explaining how institutional configurations or structures define fields of actions. This is to say that proper analysis of structures in institutions can inform others and help predict the possible actions that can be taken within the context of any institution under analysis.

The main problem associated with this theory is how researchers are able to know which of the rules can best address the interest of the people. To address this, the theory makes use of certain concepts, namely critical junctures, path dependency and Lock-in.

Additionally, Historical Institutionalism has been criticised on the grounds that, although it is well suited to justify and explain policy continuity (persistence of policies), it is less able to explain reforms or change in the policies or institutions (Clemens and Cook, 1999).

This critique has however been countered by Historical Institutionalists that to some extent the concepts of critical junctures found in HI help scholars explain how initial paths are selected as well as change in policy or ways of doing things (Collier and Collier, 1991).

### **3.2 STAKEHOLDER THEORY**

The second theoretical framework guiding the study is the Stakeholder Theory (ST). Developed in 1984 by Edward Freeman, the theory focuses on contributions of stakeholders to organisations. It defines stakeholders as people (individuals or groups) who affect or are affected by organisations. According to the theory, there is a link between stakeholder management and performance of organisation. The ST is based on the doctrine that organisations exist to serve the collective interests of stakeholders. The theory maintains that because stakeholders have competing interests, it is possible for them to either improve or undermine the organisations in order to satisfy their interest. To avoid this, the theory imposes obligation on organisations to balance the conflicting interests of all stakeholders to prevent stakeholders from jeopardising the organisation. In addition to this, organisations are required to manage the interest of all their constituents without limiting it with their shareholders. Advocates of this theory believe that the interactions that happen within the body of organisations influence the actions, decisions, practices and goals of such organisations (Sternberg, 1997; Donaldson and Preston 1995; Carrol, 1993).

Another tenet of the Stakeholder theory is that, the main objective of management is to balance the conflicting or competing interests of all stakeholders. Evan and Freeman (1988) have also argued that the task of management under the Stakeholder theory is to balance the interests of all stakeholders. However, this balance may not always be possible thus, one group may benefit at one point to the disadvantage of the other. In general, management must keep the relationships among stakeholders in balance as an imbalance in the relationships between stakeholders puts the survival of the firm in jeopardy (Evan and Freeman 1988).

There are three approaches to the stakeholder theory and they are: Descriptive, Instrumental, and Normative. The Descriptive approach focuses on the observed reality of an organisation. Instrumental approach looks at the connection between stakeholder management and the output or performance of the organisation while the Normative approach deals with underlying concepts such as individual or group "rights," "social contract," or utilitarianism.

This study adopted the Instrumental variation and approach to the theory. The Instrumental justifications point to evidence of the connection between stakeholder management and corporate performance. It argues that the efficient management of the interests of stakeholders has a positive effect on the efficiency or output of an organisation. In this regard, the theory argues that the various stakeholders can affect the institution thus there is the need for institutions to engage stakeholder in order to achieve their maximum results.

Instrumental justifications of the Stakeholder theory focuses on evidence of the connection between stakeholder management and corporate performance. This is to say that engagement of Stakeholders increases the output or efficiency of an institution. With Stakeholder theory under the Institutional approach, the empirical evidence of organisational performance is used to justify its consideration of stakeholder interests.

In the view of Hinings and Greenwood (2003), ST is also important because it focuses on addressing the often-overlooked Sociological question of how organizations affect society. The primary motive of organisations has been to maximize profit for stockholders without giving thought to the society or other actors that the organisations affect and are affected by. Therefore, the introduction of Stakeholder Theory has brought the relevance of stakeholder consultation to the table and thus increased the relevance of institutions to the society at large. It has also shown how the various stakeholder that at a glance may seem to be of no benefit to institutions can immensely contribute to the improvement of institutional performance like IPAC has done and is replicated in other countries.

Critics of Stakeholder Theory have on the other hand criticised it on grounds that balancing stakeholder benefits is impossible. The premise for their argument is that the large number of stakeholders presents many different interests, thus balancing to reach consensus on what will benefit all stakeholders will never happen. They further posit that there may even be different interests from members of the same stakeholder grouping. The problem to critics is that the theory does not state how such balance can be struck for the many divergent interests from the unlimited stakeholders.

The school of thought in support of the Stakeholder theory have also reacted to this criticism that although the theory does not state how to go about the balancing of interests, the problem is solved in practice as the organisations uses their substantive goal as a criterion for choosing stakeholder benefits that they will support. The purpose of the operation of the organisation is what will guide the institution on which interests it should work towards. This will aid managers to identify how to rank interests and resolve conflicts (Sternberg, 1997).

### **3.3 APPLICATION OF THEORIES**

The choice of HI and Stakeholder Theory as the theoretical frameworks for the study is based on how stakeholders such as IPAC and institutions like the EC have managed stakeholder consultations and worked within the political and legal frameworks to perform their functions of managing elections in the country. The Stakeholder theory also underscores the responsibility on the part of the EC to take decisions that will help to improve the management of elections in the country.

As an institution created by the 1992 Constitution, the EC has since its inception organised seven successful parliamentary and presidential elections which have led to the alternation of power between the two major political parties, NDC and the NPP, for at least, three times. Though all the seven elections were generally declared as free and fair by the EC and other observer groups, the first presidential election was however mired in controversy leading to

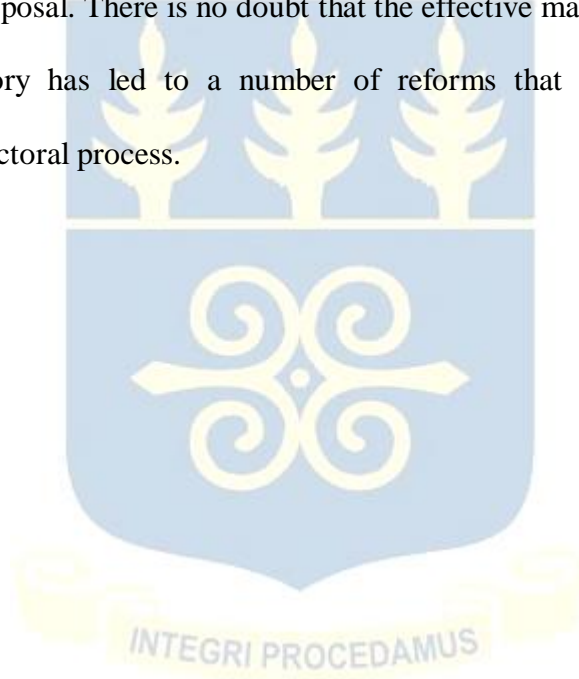
the boycott of that year's parliamentary elections by all the opposition parties. The opposition parties who boycotted the elections were New Patriotic Party, People's National Convention, National Independence Party and People's Heritage Party. They accused the ruling National Democratic Congress government of rigging the elections.

The HI theory underscores the responsibility of managers of institutions to rely on history to guide their actions to enable them make important decision to address pertinent problems that confront the institution. Based on this idea and the other argument by the theory that the outcomes of institutional actions sometimes trigger certain actions which tend to improve the processes associated with such institutions, the EC undertook several reforms. One of these reforms led to the establishment of IPAC in 1994 with the sole responsibility of advising the EC on matters of elections. Some of the suggestions which were offered by IPAC led to the abandonment of opaque ballot boxes and thumb print ID cards. These were replaced by the transparent ballot boxes and photo ID cards respectively. The "lock in" principles, which highlight the consequence of the actions of the actors of political institutions, the EC took advantage of the various recommendations of the IPAC to improve the management of elections in the country. This in no doubt has contributed immensely towards improvement of free and fair elections in the country.

Other contributions by the IPAC include the recommendation for the introduction of the Registration Review Committees (RRC) which was put in place to give fair hearing to contested new registrants. Furthermore, IPAC has successfully aided the introduction of Party agents at all polling stations to ensure transparency of the operations of the EC.

Having established the historical context of IPAC, it is important to examine how the Stakeholder Theory applies here. As already stated above, the stakeholders of the EC are IPAC which comprises political parties, CSO's and donors. According to the theory, when stakeholders are involved in organizational matters the output is good and the goal of the

organization is achieved. Over the years, members of IPAC have worked to achieve the organisational goal of IPAC by discussing electoral issues and providing useful advice for the EC. This role of IPAC is in line with an aspect of the ST which suggests, among other things, that stakeholder consultation increase the output of an institution and this is evident in the success of the EC. Though since 1994, the various stakeholders of the EC have had different political interests, members of IPAC have been able to balance their interests to provide useful electoral advice for the EC. Part of the success in this regard is based on the fact that any advice that is given to the EC by IPAC is always weighed against the costs, law and practicability of the proposal. There is no doubt that the effective management of the IPAC as suggested by the theory has led to a number of reforms that have contributed to the improvement of the electoral process.



## CHAPTER FOUR

### RESEARCH METHODOLOGY

#### 4.0 INTRODUCTION

This aspect of the study discussed how the study approached the investigation of the problem under consideration using certain scientific tools, methods and procedures. In this connection, we embarked on method of data collection and analysis of the data. The discussions under this section covered the following topics: research design, sources of data, study population, sampling size, sampling techniques and research instruments. Other areas the Chapter entailed are ethical issues and limitations of the study.

#### 4.1 RESEARCH DESIGN

Methodology in research relates to strategies, tactics, and techniques employed to aid the examination of a research phenomenon, which is also linked to the logic and justification for choosing a particular methodology (Hegsub, 1979). Creswell (2003) identifies three types of research methods namely qualitative, quantitative and mixed method. The mixed method, which combines both qualitative and quantitative methods. Under this section, emphasis was on the qualitative research method as it is employed for the study.

##### 4.1.1 Qualitative Research Design

Qualitative research design is most suitable for studies with research question that require complete examination of how people are experiencing something or what their views are on an issue. Hancock et al (2002) describe qualitative research as efforts to deepen people's understanding of how things evolve in real world. Some of the features of qualitative research design include the ability of the researcher to take into account the complexity of the real world. Secondly, qualitative design tends to avoid variables being manipulated but rather relies on reports of experience or data that cannot be appropriately expressed numerically

using a flexible, systematic research process. Qualitative research design is also appropriate for this study because it enables the researcher engage the participants in the research process to give deeper understanding of the issues to meet the objectives of the study.

Furthermore, qualitative research design has been chosen for this study because the study focuses on undertaking an in-depth study of IPAC. Therefore, this research design will allow the researcher examine effectively the contribution of IPAC to free and fair elections in Ghana. Thus, there is the need for an assessment and in-depth study of the contribution of IPAC and its stakeholder and a circumspect view of respondents on how to strengthen and improve IPAC's efficiency.

#### **4.2 SOURCES OF DATA**

Data is an important component of every research process because it provides the raw materials for the examination and understanding of the problem under investigation. For the purpose of carrying out this research to its logical conclusion, the study will employ two main sources of data, namely: primary and secondary sources. Primary data as it relates to information that is collected directly by the researcher. This study collected data through semi-structured interviews with respondents. The benefit of using primary data lies in its ability to provide original information for the study and analysis of the phenomenon under consideration. Secondary data on the other hand comprise the types of data that have already been collected and is readily available for use by other researchers. Some sources of secondary data are government publications, books, newspapers and articles in journals (Sekaran, 2000). Secondary data that is used for this study was collected through literature reviews with sources from published and unpublished books, articles, journals, newspapers and online electronic sources.

The researcher's choice to combine both primary and secondary data was because secondary data is economical and less expensive to access. Again, technological advancement resulting

in the proliferation of internet search tools makes secondary data readily accessible at the convenience of the researcher. Finally, the researcher used secondary data because it aided her to compare this research with other similar studies to improve analysis and build strong conclusions.

However important the use of secondary data for any study is, using secondary data does not come without challenges. Some of the shortfalls of secondary data has to do with the probability of accessing data from unreliable sources, which may adversely affect the quality of research results. It also relates to the retrieval of irrelevant data due to its untimely or historical nature and finally, the differences in jurisdictions or jurisprudential incompatibilities adversely affect the use of secondary data. In acknowledging the possible shortfalls of secondary data, the study used primary data collected by the researcher via semi-structured interviews to compliment the secondary data accessed.

#### **4.3 DATA COLLECTION INSTRUMENT**

According to O’Leary (2004, p.150) “Collecting credible data is a tough task, and it is worth remembering that one method of data collection is not inherently better than another.” Therefore, the method of data collection to use would depend on the study objectives and the pros and cons of each approach. Heaton (2004, p.34) also posit that the different methods of collecting data includes interviews, focus groups discussions, surveys, telephone interviews, field notes, taped social interaction or questionnaires administration. This research adopted in depth semi structured interview as its instrument for primary data collection.

##### **4.3.1 Interviews**

Interview is “... an interchange of views between two or more people on a topic of mutual interest, sees the centrality of human interaction for knowledge production, and emphasizes the social situatedness of research data.” (Kvale, 1996, p.14). There are three main types of

interviews, namely structured interviews, semi-structured interviews and unstructured interviews (Saunders et al, 2012). In choosing, an interview for a study the researcher must first, consider the level of information he or she requires from an interviewee. There are many reasons for using interviews to gather data. Gray (2004, p.214) for instance, asserts that the reasons why a research will choose interview as a method of data collection, include the need to obtain highly personalized data and access to good responses. Since IPAC meeting are highly confidential, the researcher in order to investigate this body relied on semi-structured interviews with members and stakeholders of IPAC to get data for the research.

The Semi-structured interviews entails the researcher meeting the interviewee with some formulated questions but there is the flexibility for the researcher to modify the questions and even add more questions depending on how the interview goes. Patton (2002,p.343) recommends semi-structured interview when there is the need to “... explore, probe, and ask questions that will elucidate and illuminate that particular subject ... to build a conversation within a particular subject area, to word questions spontaneously, and to establish a conversational style but with the focus on a particular subject that has been predetermined.” Therefore, the interviewees will share their experience and understanding of a given situation. The open-ended nature of questions and flexibility of the interview allows respondent to give in-depth information on the issue under discussion. Another strength of semi-structured interviews is that the researcher can prompt and probe deeper into the given situation.

Kumar (1999) argues that semi structured interviews is best suited for researching multifaceted and sensitive areas because the interviewer has the flexibility of repeating a question, seeking follow-up on answers or changing the whole structure of the questions. Also, in-depth semi structured interviews allows the researcher to clarify questions for the respondent to enable the study obtain the most useful and detailed information.

The data collection technique the study employed was semi – structured interviewing of participants due to its flexibility and all the afore mentioned benefits. Semi structured interviews are ways in which the respondents can be engaged to discuss a phenomena or situation. These advantages thus explain the choice of semi structured interview by the researcher. Additionally, the study of IPAC required respondents with personalized data and in this case, semi-structured interview was the best-suited approach to understand the phenomenon under consideration.

Although interview is one of the instrument for data collection, it has however been criticised on grounds that sometimes respondents are not able to recall accurately historical events because of memory failure and this situation has the potential of causing data distortions (De Massis and Kotlar, 2014; Golden, 1992). This disadvantage of interviews can however be overcome by using multiple respondents and “well-informed interviewees” from different perspectives of the phenomena under study (De Massis and Kotlar, 2014:19). Interviewing many people also gives way for the study to cross-validate the data given by different respondents (Bryman and Bell, 2015; Creswell, 2009; Patton, 2015). Graebner (2009) also posit that multiple respondents enhance the confidence and trustworthiness of research findings and these ways of overcoming the shortfalls of interviews was efficiently harnessed by the researcher to generate credible data for the research.

#### **4.3.2 Interview Guide**

According to Kajornboon (2004), an interview guide is an essential component of interviewing. It is a list of questions, subjects and problems that are to be discussed by the interviewer during an interview session. Lofland and Lofland (1984) have also define an interview guide as a list of questions that the interviewer would like to discuss during an interview. The guide to the interview should be straightforward, free of ambiguity and illegal questions. The interview guide contains key themes and sub-questions in advance to

give the researcher areas to draw questions from (David and Sutton, 2004, p.87) ahead of meeting the respondents. The researcher therefore developed an interview guide before interview sessions to guide the sequence of the interviews and ensure that all crucial issues of the study were well taken care of in the interviews.

#### **4.4 TARGET POPULATION**

One factor, keenly important for any study, is the identification of the right place and the selection of the right respondents for empirical data collection (Creswell, 2007). The target population of this research were members of IPAC representing various political parties, EC officials, donors, media, and officials of CSO whose activities border on governance, particularly in Ghana. Examples include Coalition of Domestic Election Observers (CODEO), Ghana Centre for Democratic Development (CDD) and Institute for Democratic Governance (IDEG), among others. Additionally, a political scientist and researcher who has written extensively was interviewed to obtain well-informed primary data on the role IPAC has so far played in support of the EC to ensure free and fair elections in Ghana's Fourth Republic.

#### **4.5 SAMPLING PROCEDURE**

The sampling procedure used for this study was the purposive and convenience sampling method. This was chosen to aid the researcher achieve the aims of this study. Purposive sampling is a non-probability sampling technique and it allows for convenient and calculative selection of only respondents who have proven to have adequate knowledge on issues in a study (Kothari, 2004). In the same vein, Babbie (2006) equates purposive sampling to the choosing of samples that are more useful and well designed for a specific study.

Patton and Cochran (2002) posit that qualitative research design usually draw purposive samples because the design demands respondents that will have requisite knowledge and

thus provide useful data for the research. For this reason the researcher choose purposive sampling method to enable her select respondents that can give accurate data to understand the role of IPAC in free and fair elections in Ghana. It is worth noting that the purposive sampling has not gone uncriticised and some argument against it according to Koerber and Mcmichael (2008, p.465) is that the researcher “intentionally crafts a sample to achieve the results they want” however this disadvantage will be removed by the researchers objectivity in the selection of samples to be interviewed.

#### **4.5.1 Sample**

A sample is a “carefully chosen subset of a population to make inferences about the population” (Healey, 2012, p.17). Samples are cheaper to organize and suitable for accurate generalization”. The total number of sample (participants) for the study was 10 people. These 10 respondents comprise of Three (3) members of IPAC representing the two major political parties and one minor political party in Ghana, and Three (3) current officials from the Electoral Commission of Ghana. The other respondents that were be interviewed are two representatives from CSO that is Ghana Centre for Democratic Development (CDD) and CODEO, One (1) person from the Media (Journalist) and finally One (1) researchers in the area of the EC of Ghana.

#### **4.6 DATA ANALYSIS**

ACAPS (2013, p.3) posit that Data analysis is a “process of bringing order, structures and meaning to the mass of collected data. Data analysis is a search for answers about relationships among categories”. In addition, data analysis is an indispensable part of every research and it forms the soul of the research.

Qualitative content analysis was done on the primary data generated from interviews with respondents and it was done through transcribing of recorded interviews and a content analysis of written-notes from interview with respondents.

The researcher used Qualitative Content Analysis to analyse the data gathered from interviews with respondents. Hsieh and Shannon (2014, p.1279) argue that content analysis is “a research method for subjective interpretation of the content of the text data through the systematic classification process of coding and identifying themes or patterns”.

Downe-Wambolt (1994; cited in Bengtsson, 2016) describe Content Analysis as a method of data analysis that gives an orderly and unbiased means of making valid extrapolations from visual, verbal, or text sources to allow the study efficiently measure and describe a specific phenomenon or issue under focus. The main purpose of Content Analysis is to organize and generate understanding or meanings from any data. Furthermore, Content Analysis helps the researcher make a realistic judgement out of collected data through established themes or words (Bengtsson, 2016).

There are two types of data analysis, which are the Inductive Data Analysis and the Deductive Data Analysis. The deductive approach to data analysis makes use of an organising framework, which contains anticipated themes for the coding process (Burnard et al., 2008). The framework is known as a start list, and it is used in analysing the data with expectation that specific core concepts will be found in the data (Bradley et al., 2007).

#### **4.6.1 Inductive Analysis**

Thomas (2006, 238) argues that Inductive analysis of data is the “approaches that primarily use detailed readings of raw data to derive concepts and themes”. Inductive analysis was applied to this study and it was conducted in line with Thomas (2006) through detailed reading of all information gathered from interviews to holistically understand what was said

at the interview (Gale et al., 2013). The process also ensures that relevant aspects of the data are captured in the study (Charmaz, 2014). This was achieved by the researcher thoroughly reading texts in a sequential way and coding paragraphs or parts of the data significant to the research questions in a thematic way.

#### **4.7 ETHICAL CONSIDERATION**

Ethical consideration is key in ensuring professional research. According to Burnham et al (2004), all researchers in a study must use five (5) main ethical principles. These principles are ensuring; informed consent, autonomy of respondents, and ensuring confidentiality, avoiding harm to respondents and avoiding deception of respondents. Guided by these principles, the researcher therefore gave an introduction to the respondents as well as informed participants of the purpose of the study and sort their consent to participate in the research at the start of the data collection. I also gave respondent an interview guide before interview sessions so that they are not taken off guard. As part of my ethical considerations, all respondents were given assurance of confidentiality of their responses to allow for openness in their responses. Finally, all secondary sources used for the study are cited to avoid plagiarism.

#### **4.8 LIMITATIONS OF STUDY**

The main limitation the study face was the inaccessibility or difficulty in getting respondents from the various categories of the sample especially the political parties, CSO and the Political Scientists. The COVID 19 pandemic further worsen the situation, as the respondents were reluctant to meet the researcher.

Secondly, the issue of time constraints affected the study because 2020 is an election year and the impact of IPAC in this election cannot be fully assessed, as the study should end in October before the 2020 elections scheduled for 7<sup>th</sup> December 2020.

Finally, the researcher was faced with the challenge of transcribing of audio data to text as the samples investigated had great knowledge on the subject matter and thus many hours had to be put in transcription.



## CHAPTER FIVE

### DATA ANALYSIS & DISCUSSION OF FINDINGS

#### 5.0 INTRODUCTION

Chapter Five of this study looks at the discussion and analysis of data that was obtained for this study to assess the phenomenon under consideration as well as address the research questions of the study. The chapter is organised based on themes reflecting the research questions of the study.

To effectively assess the role of IPAC and EC in ensuring free and fair elections in the country, this study sought to provide answers to the following questions.

1. What specific contributions and innovations have IPAC and EC made in ensuring Free and Fair Elections in Ghana's Fourth Republic? To what extent have these innovations undermined or improved elections in the country?
2. What challenges have the IPAC faced in the course of their work and how can these challenges be addressed?
3. Is IPAC still desired by the EC?

#### 5.1 CONTRIBUTIONS OF IPAC AND EC IN ENSURING FREE AND FAIR ELECTIONS

There is no gainsaying that the indices of free and fair election as developed by Godwin-Gill are many. However, only a few of them will be used for the analysis in this portion of the work. In this connection, only the following indices will be used: Electoral laws and systems, Election management, Voter registration, Balloting, Monitoring and Result.

### 5.1.1 Electoral Law and System

In developing the indices for free and fair elections, Godwin-Gill (1994) underscored the importance of free and fair elections in a democracy. Though he explained that there is no electoral system that is suited for all states, he argued that countries around the globe tend to adopt electoral systems based on their history and experiences among others. To him, the best electoral system is the one that produces not only cohesive government, which is capable of making national policies but also has the ability to support elections that deliver fair representation among the various political forces in the state. The relevance of these statements by Godwin-Gill is indicative of the fact that no democracy can exist without a meaningful electoral system

Ghana, which re-introduced democratic rule for the fourth time in 1992, began its democratic forward march by passing a number of laws that support electoral administration in the country. One of such laws is the 1992 Constitution. Though the Constitution does not explicitly provide for a specific electoral system for the country, what is contained under Article 50 (1)(a) adequately places it under the First-Past-the-Post System. According to the Article where: *“two or more candidates have been nominated, the election shall be held and the candidate who receives the largest number of votes cast shall be declared elected.”* Though it is clear from the above that both the EC and IPAC did not have a hand in the type of electoral system the country is currently using, as it was put in place before the establishment of the two institutions.

Beside electoral systems, electoral laws also constitute important index of free and fair elections. Like any democratic enterprise, the basic mode of regulating the conduct of any electoral process, as well as stakeholders involved in the business of elections, is through laws, which are reviewed from time to time to reflect the changing circumstances.

Following the promulgation of the 1992 Constitution and the subsequent establishment of the EC by Article 43 of the 1992 Constitution, both Parliament and the EC have, in addition to existing laws, passed others with the view to shaping and strengthening the way and manner in which electoral processes are managed within the general electoral system of the country. Political Parties Law (Act 574 of 2000) is an example of such laws that have been passed. In essence, these laws have contributed immensely towards the expanding the frontiers of the country's electoral system. Even though the bulk of the country's laws under the current democratic dispensation come to us by way of Acts of Parliament, there are other laws that emanate from the EC in the form of Constitutional Instruments (CIs). However, since 1994 when the IPAC was established, it has collaborated with the EC and other stakeholders in drafting CIs, which have been passed into laws by Parliament. Some of these laws are the Public Elections Regulations Law (2012), Public Elections (Registration of Voters) Regulation 2012 and Constitutional Instruments (72, 73 and 75) to manage the biometric credentials of voters (EC-Ghana, 2016b).

Majority of respondents were of the view that IPAC has contributed to free and fair elections through assisting the EC draft electoral laws passed to guide elections. Indeed, there is no gainsaying that the collaboration between the EC and IPAC has yielded many dividends in the area of the country's electoral administration. An official of the EC and members of IPAC evidence this in the statement the EC had over the years engaged the IPAC and other stakeholders in drafting various constitutional instruments, which have made it easier for such instruments to be gazetted without much difficulties. He admitted that on occasions where differences arise among the political party representatives on the IPAC, these different views help to enrich the instruments under consideration. Corroborating this position, an IPAC representative for the NDC indicated how the previous leadership of the EC made it possible for stakeholders, including political parties, to be part of the a committee that was set

up by the EC to assist in the drafting of electoral instruments. This, according to him, made it possible for members of the IPAC to contribute towards effective development and passage of legislations that are used to manage the administration of elections in the country. In a similar tone, an NPP representative at IPAC, also underscored the role of IPAC in the drafting of electoral instruments, arguing that *“because some of the members of IPAC are also members of Parliament’s Subsidiary Committee, their inputs contribute to the quality of such draft bills and facilitate easy passage by Parliament.* Based on discussions above it is evident that the IPAC has contributed its quota to ensuring the structuring of the basic electoral rules that govern elections through its deliberations with the EC.

### **5.1.2 Election Management**

There are three phases to every democratic election: pre-election, election and post-election. In all of these phases, specific activities are required to be carried out by EMBs in order to ensure free and fair elections. Godwin-Gill (1994) has observed that in order to ensure a successful conduct of elections, it is important that the main activities that characterise each of these three phases in election be managed efficiently by EMBs. As an important index for ensuring free and fair elections, EMBs tend to provide the basis for election management (EM) which is critical in any electoral process. It relates to the administrative body that organises election. Perhaps, the most important role of EM is its ability to organise and manage elections and its processes. Indeed, part of the activities that go into EM relates to training of electoral officials and party agents as well as management of electoral processes. Besides, EM deals with preparation, organisation and conduct of election. Other issues that concern EM include the organisation of stakeholder consultation, certification of elected candidates, publication of election results and examination of complaints against election officials.

In line with the organisation and management of elections, the EC in its effort to deal with the problems of irregularities and fraud that characterised the previous elections, carried out a number of activities after the 1992 elections with the aim of improving the electoral system.

The EC worked to improve stakeholder participation in the electoral process. It co-opted the political parties into the EM process by establishing the IPAC. As a platform for discussing electoral matters with the EC, the IPAC also served as an advisory body on electoral matters. Scholars like Frempong (2012) and Ayee (1997) have argued that the idea of the formation of IPAC came because of the efforts by the EC to institute trust, credibility and transparency in the discharge of the EC's mandate as well as building of the political parties' confidence in the electoral system after the 1992 elections. Corroborating the position of the scholars above, an NDC representative to IPAC asserted that the absence of an opposition in Parliament after the 1992 elections created a vacuum in Ghana's democracy. Although the key players of IPAC are the EC and representatives of the various political parties, other members include representatives of donor agencies and CSOs. Actually, the dialogue between the EC and the various stakeholders of elections, particularly IPAC is in accord with the proposals by Commonwealth Observer Mission (COM) for the 1992 election. Their report called for dialogue and consultation between stakeholders even if informally, this forum will serve as a platform on which parties could air their grievances.

In an interview another senior EC official, He maintained that the tremendous successes that had been chalked by IPAC as a forum for building consensus on electoral issues has become accepted by the EC and the various political parties, adding that this example of stakeholder consultation and consensus building has been replicated in other African countries such as Liberia, Nigeria and Zimbabwe.

The work of both the IPAC and the EC has been very effective in improving the organisation and monitoring of elections in the country and has been widely accepted both at home and

abroad. However, all the seven elections so far conducted have recorded huge flaws with some of them resulting in legal challenges in court over electoral malpractices. Typical was the presidential election petition by the opposition NPP in the Supreme Court, which lasted for eight months, and brought to light a number of flaws associated with the country's electoral process.

### **5.1.3 Voter Registration**

Successful elections cannot be attained without a credible register. And the means by which such register can be compiled is through voter registration (VR). As an important index in the electoral process, VR leads to the compilation of all eligible voters for an impending election. Viewed in this light, VR serves as the pivot around which election revolves. The credibility or otherwise makes or unmake elections. Part of the process of VR entails the assigning of polling station. Besides, VR seeks to prevent electoral abuse and fraud associated with electoral systems. Indeed, the process of VR makes it possible for electoral roll to be updated and used for elections. In advanced democracies, the update of the voting register is continuous and automatic as particulars of voters are captured from infancy. This makes it possible for people who hitherto were not part of the list to be included. Whether compulsory or otherwise, voter list is supposed to be published promptly to allow for verification and correction of the basic document that is used on the day of election. Overall VR leads to the production of voters' register (Godwin-Gill, 1994).

Some of the issues that affected the quality of the 1992 elections were irregularities and fraud. The four opposition parties that boycotted the elections blamed the EC for making it possible for the elections to be rigged. In addition to this, they accused the EC for failing to provide the electorate with a completely new voters' register. Against this background, the EC took a number of steps to enhance the credibility of the 1996 elections.

The aftermath of the 1992 election and the creation of IPAC led to discussions between the EC and IPAC, which saw the introduction of political party agents in the 1996 elections. Research has shown that about 89,000 party agents were sent out to monitor the registration exercise in about 19,000 polling stations. Four agents were sent to each registration centre with two representing the ruling parties and the others, the opposition parties. This was nouvelle, as it did not feature in the 1992 elections, although parties had wished for it. Interestingly, both the EC officials and all the party agents monitoring the electoral processes received the same training on the registration procedures (Ayee, 1998: Gyekye-Jandoh, 2013).

Research has shown that a credible voters' register is key in ensuring free and fair elections. It was, therefore, not surprising that the Supreme Court in their judgement on the 2012 election petition acknowledged the huge flaws in the country's electoral system and recommended that: first, the EC compile the voters' register and make it available to the political parties as early as possible; second, the EC may prepare supplementary register to cater for later exigencies. It is, therefore, surprising that in the preparation towards the 2020 elections, the EC in spite of the COVID 19 pandemic still insisted on compiling of a new voters' register in the midst of protest by some political parties within IPAC. This division led to the formation of Inter Party Resistance Against New Voters' Register (IPRAN) formed in 2020 with the chairperson of PNC, Bernard Monarh as its convenor. IPRAN agitated against the compilation of a new voters register for the 2020 election because the EC did not have enough time to carry out the exercise and the high cost associated with the procurement of a new register.

The VR is a key variable in any election as it is a document that guides who is qualified to vote and who is not. Indeed, the introduction of party agents and the Registration Review Committee (RRC) in the process is a major step by the EC, especially with the help of IPAC.

That notwithstanding, there is still more room for improvement as there continues to be some problems in the new register. The establishment of IPAC has brought improvement in VR because the political parties feel part of the electoral process and accept the register. Additionally the party agents at the registration centres serve as a check on the EC officials so they do what is expected of them.

#### **5.1.4 Balloting, Monitoring and Result**

Balloting, monitoring, and results declaration are major phases in the electoral process, but this has sometimes been construed to be the whole electoral process. It is the second phase of the electoral process where voting actually takes place. (Godwin-Gill, 1994) In Ghana, the process of balloting is intertwined with monitoring and declaration of results. A lot of factors account for an election to be free and fair, but the activities that are undertaken on the day of elections are important for ensuring free and fair elections. The 2012 presidential election petition at the SC brought out lessons for the political parties on the need to be vigilant at the polling stations as elections are won there.

In discussing electoral processes, Godwin-Gill (1994) refers to balloting as relating to accessibility of polling stations, competence of polling officials, presence of party agents, security of ballot boxes, secrecy of voting, integrity of the counting process, which translate into authentic results which acceptable to all stakeholders.

Since its inception, the contribution of IPAC towards the attainment of free and fair elections has been phenomenal. According to Gyimah-Boadi & Yankah (2012), engagement and agreements reached at the IPAC meetings have enabled the EC to introduce reforms that have raised the confidence of citizens in the electoral system. A Director at the EC articulates that most reforms that have been introduced by the EC after the 1992 election have emanated from the IPAC. A vast array of these reforms have focused on improvement of the operation on BMR.

To improve balloting during elections, the EC has since 1994 worked with IPAC to introduce a number of reforms like the granting of access to political parties by the EC to observe the printing of ballot papers and other electoral materials, the holding of presidential and parliamentary elections on the same day and the replacement of opaque ballot boxes with transparent ballot boxes embossed with number seal were initiated, discussed and approved by IPAC before they were implemented (Ayee 1998, p.64). This has improved transparency and ultimately confidence in the electoral process.

Preparation towards the 2012 elections also saw the IPAC and EC collaborating to introduce biometric verification device into the electoral process which has since then brought into the Ghanaian political landscape, the slogan of “no verification no vote” indicating that voters during elections are required to have some of their human features, particularly fingers and eyes verified by biometric machines before being given the opportunity to vote This particular reform which continue to be part of the country’s electoral process, has become an important means by which the authenticity of registered voters could be verified before individuals are allowed to vote in elections in the country. The relevance of this particular device is seen in its ability to reduce the incidence of voter impersonation and the use of discretion to verify voters. It must be understood that in Ghana, one of the problems that has become endemic in the country’s electoral system since the restoration of democratic governance in 1992 is the issue of impersonation, which was perpetuated by some of the political parties and certain individuals. Given the threat that this particular practice, poses to the electoral process, it is not surprising that an introduction of this device would receive much resistance from the people as it is said to address the problem head on.

Notwithstanding the significance of this device, sometimes the inability of the machines to work efficiently when they are needed most leaves much to be desired, as the breakdown of such devices tends to cause delays in the election and thereby affecting the quality of

elections as in some cases the elections have to be postponed. A Deputy Director at the EC in an interview for this study explained that sometimes the introduction of the biometric verification devices failed because sometimes polling official tend to have little knowledge about how such machines function and this affect the effective use of the devices.

Another innovation that have been brought onto the electoral plane by the introduction of party agents at the various polling stations and the training of both polling officials and party agents by the EC with the support of the IPAC. This has created the opportunity for ensuring proper monitoring of the electoral process. Having said this, it is important to state that the introduction of party agents at the polling stations is the brainchild of members of the IPAC. The duty of party agents is to monitor the electoral operations at the various polling stations to ensure that polling officials perform their duty effectively by checking against impersonation, denial of the right to vote and maintenance of the secrecy of ballot (Godwin-Gill, 1994).

The IPAC, is made up of three main components, that is, the EC which serves as the chair of the Committee, political parties and civil society organisations (CSOs), including international donors who serve as observers. The role of monitoring by IPAC has not been limited to only political parties, that is, through the presence of party agents, but CSO who have also contributed immensely towards the monitoring of elections. In 1996, one of the CSOs, the Institute of Economic Affairs (IEA), which is also a member of IPAC, was given funding to serve as an observer in the elections. In addition, another CSO, Ghana Alert also served in the year's elections as a non-partisan domestic election observer. Indeed, the project by CSOs saw the recruitment of 4,100 volunteers to observe who participated in electoral activities throughout the country. Also in 2008, the German Embassy funded CDD-Ghana and CODEO to systematically monitor incidence of election violence and undertake conflict prevention projects in some parts of Northern Ghana and other conflict-prone areas.

(Gyimah-Boadi & Yankah 2012). In point of fact, in allowing the presence of party representatives, domestic and foreign monitoring groups in the various elections, the IPAC and EC succeeded in putting in monitoring and checks systems against errors, misconduct, violence and fraud, as their presence at polling stations reduced the opportunities for wrongdoing (Botchway 2018).

Furthermore, the presence of party agents at the various polling stations have also been seen as a boost for voter confidence in the electoral process check against errors, misconduct and fraud which tend to characterise elections in the country. In the 2004 post-election survey conducted by the Department of Political Science, it emerged that 96.1% of respondents who took part in the survey were of the view that the EC officials who were placed at the polling centres during the elections implemented the rules governing elections, and also acted in a neutral, fair and firm manner (Boafo-Arthur 2006: 37) . This the study indicates reflects the high confidence that citizens have in the EC and this can be partly attributed to the existence of party agents who keep EC officials on their toes.

It must be pointed out that efforts made by IPAC to improve acceptability of electoral results have made the EC proactive to; first, introduce the issuance of signed copies of result sheets to all political parties right after elections at the polling centres and; second, the setting up Regional Election Coalition centres where all internal results are collated before they are sent to the headquarters. There is no that doubt these decision by IPAC have contributed in no small measure to ensure transparency at the grassroots as well as reducing the workload at the headquarters and subsequently ensuring prompt declaration of results.

Besides these reforms, the introduction of counting of ballots cast at polling centres is another innovation, which has been initiated by IPAC through the EC to ensure transparency in elections in the country. This measure allows ballots to be counted at the polling stations in the presence of party agents and the public right after close of polls and results are declared at

the polling centre before onward transmission to collation centres. Gyekye-Jandoh (2013) has in a similar vein argued that a crucial electoral reform introduced in Ghana's electoral system include the counting and declaration of election results at every polling station, the vote counting procedure and the involvement of party agents among others, demonstrates the commitment by both the IPAC and EC to prevent electoral irregularities including fraud.

Buttressing the above position, a Deputy Director at the EC, pointed out that the counting, declaration of electoral results at the polling stations has removed the suspicion, and speculations regarding ballot box stuffing which tends to occur anytime results are being transported to accredited areas for counting. This, makes, electoral results more acceptable to all stakeholders and the public.

It is noteworthy that the majority of reforms that the IPAC through the EC has introduced has worked to improve elections in the country. Further, the role of IPAC in supporting the EC is a big step forward towards the improvement of the country's democratic credentials. Despite all these efforts by the stakeholders of elections, including the EC, political parties, CSO and all the citizenry, elections in the country have not been perfected with some reforms like the biometric verification failing to serve its purpose of improving election but rather causing delays in balloting and result declaration and therefore undermined the work of the EC.

### **5.1.5 Complaint and Dispute Resolution**

The fragile nature of democracy in Africa has brought to light the pivotal role elections play in a democracy. Though election is an important feature of democracy, it can also be a trigger for conflicts and the cause of reversal of many democracies. In many African countries with history of conflicts, it is highly necessary that measures are put in place to resolve electoral disputes that may arise at all three phases of election. Indeed, the creation of avenues for addressing conflicts before issues get out of hand is necessary for the promotion and sustenance of democratic rule.

To ensure free and fair elections Godwin-Gill (1994) proposes the existence of complaint and dispute resolution structures to solve emerging issues from elections promptly so that it does not compromise the quality of elections, deny people their political right to vote and have the results declared on time. Over the years, some of the complaints from stakeholders of elections usually revolve around discrimination against particular groups or candidates in the exercise of their franchise, human rights violations, or alleged violations of laid down procedures. In electoral politics, the most important complaints that have been levelled against EMBs relates to the challenge of the validity of electoral results. It must be noted that in electoral politics, anytime there is a dispute, the key focus is not so much about the sanction to be meted out but the timeliness of the response (Goodwin- Gill 1994, p.80). This is in line with the saying that justice delayed is justice denied and thus the proactive nature of dispute resolution institution is crucial for ensuring peace and stability in the state. Additionally, there is the need for the existence of neutral and impartial adjudicating body to address issues of conflict on time. Unfortunately, the apparent delays in settlement of disputes have in certain circumstances created tension, anarchy, and other forms of unrest (Debrah, 1998, p.23).

Ghana is not unique from the other African countries that have experienced relapse in their democratic practice. However, the difference in the success rate of the country's democratic experiment depends on the level of trust stakeholders have in both formal and informal institutions that are tasked with the responsibility ensuring conflict prevention and resolution. In Ghana, an informal avenue for complaints and dispute resolution is mostly the IPAC. Due to the success in preventing disputes amongst political parties at the National level through IPAC, it has called for the opening of branches at both regional and district levels to deal with electoral disputes that erupt at the grassroots level. At the regional level, the replication of

IPAC is known as the Regional Inter Party Advisory Committee (RIPAC) and the district level as the District Inter Party Advisory Committee (DIPAC).

The informal nature of the IPAC has contributed to ensuring free and fair election and strengthened Ghana's electoral processes by creating an avenue for deliberation on issues of concern. Through the Committee, the EC is able to dialogue with the various political parties to address various problems that have affected the electoral process over the years through dialogue. This has helped reduce tension and promoted cohesion among the political parties. Consequently, a reasonable level of collaboration between the political parties and the EC has replaced the antagonism and suspicion that the political parties previously had with respect to the EC (Botchway, 2014; Ayensu, 2017).

Other informal avenues for complaint and dispute resolution that the IPAC has worked with the EC to introduce is the Registration Review Committees (RRC). As a matter of fact, the CI 12 which was developed by the EC helped to introduce of the District Registration Review Committee in 1995 which has since then served as a mechanism to address disputes regarding registration of voters such as minors and foreigners as well as those engaged in multiple registration. The RRC, which operates at the national, regional and district levels (Botchway & Kwateng 2018) and is made up of representatives of all registered political parties in the district, the district electoral officer (who is the secretary to the Committee) and not more than four other persons determined by the Commission. The duty of the RRC is to settle disputes on issues of registration and reach consensus on the way forward to avoid the use of violence and agitation in the electoral process. The representative for CODEO for this study has argued that the IPAC and EC have over the years worked together to promote dispute resolution by putting in place internal structures or mechanisms to support free and fair elections in the country. He said one of such mechanisms is the introduction of Challenge

Forms at registration centres where individuals who doubt the nationality of others can contest their citizenship.

Moreover, IPAC has contributed to the complaint and dispute resolution by engaging formal institutions of adjudication like the courts to resolve high-level electoral disputes, including post-election disputes that have over the years been handled by the law courts. In point of fact, the rule adjudication role played by IPAC tends to promote credible elections with its support to the EC and political parties in assisting the courts in dealing with the issues that are brought before them for hearing. Although the burden of proof lies on the complainant (usually political parties and its members) who seeks relief from the court, the EC is ultimately the body to provide evidence to the court regarding the electoral dispute (Debrah et al, 2010). As part of the assistance to the courts, the EC and political parties (members of IPAC) make available documents and oral explanations to help the court to decide cases that have been brought before them. Typical of such cases was the 2012 presidential election petition.

There is no gainsaying that the Fourth Republic of Ghana has been the longest Republic, which has produced seven successful elections with three peaceful alternation of power between the two major political parties. Though these elections have not been perfect, at least, there is light at the end of the tunnel, as there exists today the use of peaceful dispute resolution mechanisms.

It is important to state that the creation of IPAC by the EC can be said to have contributed towards the existence of mechanism for redress of concerns of political parties and improvement in the conduct of elections in the country.

## **5.2 CHALLENGES CONFRONTING IPAC AND HOW THEY CAN BE ADDRESSED.**

A vast array of literature has focused on the importance of credible and peaceful elections with particular emphasis on the role of formal institutions in this regard. The critical role that formal institutions (constitutions, electoral laws, judiciary, political parties, electoral commissions and the security agencies, among others) play in ensuring free and fair elections cannot be downplayed. However, the role of informal institutions or quasi-public entities deserve similar attention too (Asante, 2013). The challenges that these institutions face must get equal attention. As indicated already, these informal institutions play critical countervailing roles to ensure peaceful and credible elections. These bodies deserve special attention in multiparty democratic system where the stakes are extremely high and the EMB's are perceived to be partisan. Although IPAC has contributed tremendously in the building of the democratic credentials of the country, it has not been immune to challenges (Gyimah-Boadi and Asante, 2006).

### **5.2.1 Mistrust within members of IPAC.**

The 1992 elections that witness the boycott of the parliamentary election by four parties adversely affected the confidence of the people and, especially, the trust of the opposition parties' in the EMB at the time, that is the Interim National Electoral Commission (INEC). This situation created a lacuna between political parties and the INEC, which transformed in 1993 to become the EC. The reinstitutionalisation of the EMB into EC in 1993 brought hope to political stakeholders, especially the opposition political parties but that was not enough to address all their concerns. This was because the mode of appointment of commissioners was still under the thumb of the president. Therefore, the EC, having taken over INEC, which had conducted a highly disputed election, had a lot of work to do in terms of erasing suspicion and mistrust. From the 1992 election, the opposition parties expressed concerns about

irregularities that occurred during the elections. So the appointment of the Deputy Chairman of operations of INEC, Dr. Kwadwo Afari-Gyan as Chairman of the newly inaugurated EC, heightened suspicion among some key stakeholders.

After the inauguration of the EC, the EMB saw the need to put in measures to address the issue of mistrust and suspicion. IPAC was therefore created as a forum where political parties deliberated and built consensus on electoral issues. This move was hailed both at home and abroad as a means to build trust of the people in the Commission due to willingness of the Commission *to engage actively in confidence-building and the development of a transparent management style, where party grievances were addressed before they became serious allegations against the EC*" (Elklit & Reynolds 2002, p.103).

EC's deliberations with IPAC has greatly contributed to ensuring transparency in the electoral process and increased confidence and trust among the competing political parties, and the entire electorates in country. However, a perfect situation has not been reached, as there is still some level of mistrust in the IPAC that is between political parties and EC on the one hand the political parties as against themselves on the other.

#### **5.2.1.1 Mistrust between the political parties and the EC**

The main problem the EC faces with the political parties is mistrust and this has been in existence before the formation of IPAC. The main source of this suspicion is the power of the President to appoint to the Commission members who can be manipulated to serve his interest. Majority of respondents argued that one grave problem that IPAC faces is the mistrust between political parties and the EC with the opposition usually at the throat of the EC. A Director at the EC noted that one of the challenges that draws the IPAC back is the politicization of actions of the EC by the political parties. According to him, the genuine intentions behind the EC's decisions are questioned just because one or two political parties support it. Sometimes political parties go to the extent of accusing the EC for working for the

ruling government. For instance, in November of 2003, the EC, working in line with its constitutional mandate enshrined in Article 47 (5) of the 1992 Constitution increased the constituencies from 200 to 230 on the grounds of population increase. The then opposition party, the NDC, read other meanings into this action by the EC and accused it of attempting to rig the election for the ruling party- NPP. This situation ended up in the Supreme Court where the EC was vindicated (Asante Kissi 2012).

### **5.2.1.2 Mistrust between political parties**

Although IPAC, as a forum for dialogue, has increased the level of tolerance between political parties and the EC, there exists some level of suspicion among them, especially between the opposition and the ruling party. Prior to the 1992 election, a dialogue that was initiated between the NDC-NPP failed because of deep mistrust between them (Frempong 2012, pp 62-63; Frempong 2007, 2008; Ayee 1997; Bofo-Arthur 2006)

Parties, which form the IPAC, especially the NDC and NPP, are very suspicious of each and so suggestions coming from each of them is vehemently opposed. In fact, a number of events have fuelled this suspicion drawing back IPAC's contribution through building consensus to ensuring free and fair election. One of them, according to Asante Kissi (2012), was the NPP government's decision in 2004 contrary to the EC procurement practices, to establish a national procurement committee to take charge of EC procurement for the 2004 elections. The EC, CSOs and certain political parties opposed this arrangement interpreting it as a move to rig the 2004 elections. The tension thus created led to the government backing off its decision.

It is worth noting that the level of mistrust demonstrated by the various political parties at IPAC cannot be underestimated. Asante (2013) argues that mistrust was evident in the 2004 election, despite the major electoral reforms introduced by the EC in collaboration with IPAC. The first source of controversy was the creation of 30 additional constituencies for the

election, which increased the number of seats in Legislature from 200 to 230. Additionally, in the preparation towards the 2004 election, the President appointed three new members to the EC (Mrs. Pauline Adobea Dadzawa, Mr. Ebenezer Aggrey Fynn and Nana Amba Eyiaba) to fill three vacant positions in the Commission. The main opposition party at the time, the NDC, interpreted this appointment as an action to compromise the EC although it was a constitutional requirement for the President to fill those vacancies which occurred as a result of the demise of Dr. M.T.K Puni in February, 2004 and the retirement of some others: Ms. Elizabeth Solomon, Mrs. Theresa Cole, and Professor Ernest Dumor. The NDC being suspicious of the President's move insisted that in order to fill the void, the two who were due for retirement should be retained on contract until the election was over.

Certainly, the antagonism between the political parties creates problems for the smooth running of IPAC as consensus building becomes difficult and ultimately stalls the progress of the country's democratic process. Respondents argued that the indecision among the parties pushes the EC to take decisions on issues the EC would have deferred to the political parties. This reduces their bargaining power at IPAC. A senior official at the EC reaffirmed this by arguing that where discussions that result in divergent views at IPAC, the EC decides alone taking the best interest of the country into consideration.

According to respondents of this study, the mistrust amongst members of IPAC has some ramifications for the EC. They include increasing expenditure of the EC to clear public doubts on activities of the Commission has to do more advertisements and sensitisation programmes. A Deputy Director of the Commission, in an interview cited, a classical example relating to the compilation of the new voters' register during which more funds went into advertisement for people to know that the registration was coming off because some political parties had agitated against it and sworn that it would not come on. On the other

hand, this mistrust has led to the EC to undertake regular briefings to create awareness about activities of the EC to ensure transparency and trust.

As a way forward in dealing with the problem of mistrust, the EC has formulated a policy to convince all stakeholders to ensure consensus building at IPAC meetings. In fact, the representative of CODEO, was of the view that since dialogue has sustained the Committee for all these years the EC must work to engage the political parties in a manner that convinces them to ensure consensus since agreement on the rules of the game is the only surest way for the EC to achieve success. In this connection, the EC must be tactful in its dealings with the political parties as some of their demands may be genuine. The EC must however ensure that its independence is never compromised (Asante Kissi, 2012). The EC must continue to be accommodating but firm in the way that it conducts its affairs. This, in no doubt will convince IPAC members of EC independence.

Another way by which the issue of mistrust in IPAC can be solved is for the ruling political parties to completely desist from interfering in the running of the affairs of the Commission to convince all stakeholders to acknowledge the Commission's independence. According to the representative of the media, the only means that mistrust in IPAC can be removed is by getting governments that work for the people thus have full confidence in their victory so do not try to manipulate the EC. When this independence is evident to all, political parties will be reasonable in their engagement at IPAC.

### **5.2.2 Poor Communication**

Although an advisory body, the IPAC serves as a forum for generating proposals for electoral reforms. Over the years, it has succeeded in building trust in the electoral process, especially among political parties (Frempong 2012, p.62-63; Frempong 2007; Ayee 1997). Since its inception in 1994, consensus has been built through dialogue. Despite its contributions towards electoral management in the country, IPAC had been affected by poor

communication, especially between its members and the EC and this has unpleasant consequences.

Owing to its leadership of IPAC meeting, the EC has largely paid lip service to communication, especially among member of the Committee. For instance since 1993 and until the beginning of preparations for the 2012 elections IPAC enjoyed good relationship with the EC as consultations were done on regular basis. Unfortunately, in the preparation for the 2012 election, the EC side-lined IPAC in taking major decisions and introducing electoral reforms. The regular IPAC meetings for deliberations on electoral reforms that had become the norm ceased while the EC resorted to issuing declarations and directives through the media and press conferences and that did not go down well with members of IPAC (Asante, 2013). It was thus not surprising that the 2012 election results was disputed, as there was no agreement on the rules of the game.

In March 2011, a workshop organised by IDEA and EC focused on how to strengthen inter-party dialogue, it reflected on the challenges facing IPAC and how it could be made more effective (IDEA, 2011). During the workshop, the parties expressed concerns about the inability of the EC to organised regular IPAC meetings, for them to be kept abreast with the EC's programme. The parties said they were keen to be kept informed about plans for biometric registration into the electoral system, but that did not happen (IDEA 2011).

By side-lining IPAC and resorting to unilateral decisions, the EC whose decisions were often supported by the ruling NDC created more tension. The poor communication between the EC and opposition parties resulted in a long-drawn-out debate with the opposition parties, with NPP as well as several non-governmental organisations in the fore front (Asante 2013).

In addition to the unilateral decision of the EC to introduce the biometric registration and verification system in 2012 the EC announced the creation of 45 new constituencies at the

Ghana International Press Centre in Accra (Daily Guide 2012), without consulting or even informing IPAC to surprise of political parties and civil society groups. The situation of poor communication within IPAC drew strong criticisms from many Ghanaians including the clergy, student groups and the opposition parties, especially the NPP. They described the decision of the EC as ‘gerrymandering’ and interpreted it as a means by which the EC was preparing the grounds for election rigging.

The opposition parties cautioned the EC about the potential risks that lack of communication in IPAC can cause. At a press conference to make their case, the NPP stated that the minority and the NPP were not against the creation of new constituencies but the process and timing give room for suspicion. The NPP further demanded, unsuccessfully that a meeting of IPAC be held immediately ‘to resolve thorny issues bedevilling the biometric registration in the country’ (RadioXYZonline 2012). Just like the creation of the new constituencies, introduction of BVR introduction was also not adequately discussed by IPAC. Much of the information about the process was received through the media and this resulted in mounting criticism of the EC. The parties expressed concern about the Commission’s delay in convening an IPAC meeting to deliberate on the methods and procedures for the implementation of the biometric exercise and related processes. The NPP in writing to the EC requested for an IPAC meeting to discuss BVR and creation of new constituencies but this fell on deaf ears.

In the run up to the 2020 election, the issue of poor communication featured once again. According to the NDC representative to IPAC, in an interview lamented on how the opposition parties views on the need to stop the compilation of a new voters register has not been heeded by the EC. According to him, what makes matters worse is the inconsistency in speech of the EC as the initial proposal of the EC captured that the new register will maintain the old voters ID, but added that the EC however, changed the maintenance of the old voters

ID without explanation to political parties and this undermines the confidence of the parties in the EC.

The controversy surrounding the compilation of the register should not be downplayed by the EC since similar instance had bewitched the pre-election phase of the 2012 election and was shelved through poor communication and this had latter ramifications on the electoral results. The IPAC meeting that discussed the EC proposed purchasing of the new technology and demonstration of the software to collate its biometric citizens data was boycotted by five political parties (NDC, PNC, the United Front Party, the Eagle Party and the All People's Congress) on grounds that the action was unnecessary and would disenfranchise many people (GhanaWeb 2019) but this did not stop the EC. This poor communication therefore leaves IPAC vulnerable and risk losing its relevance.

Despite the poor communication between members of IPAC in terms of information dissemination of crucial electoral issues, there is another aspect of poor communication, which relates to the means through which IPAC meetings are held. Members of IPAC are usually influential members of their various political parties and CSOs. However, their tight schedules are not considered by the EC as IPAC meetings are called at short notices. They are sometimes out of Accra the capital town of Ghana where all IPAC meetings are held and thus have difficulty attending. Respondents who were representatives of political parties, some CSO's and even Directors of the EC complained about the short notices given for IPAC meetings. A representative of PNC at IPAC argued that politicians are generally busy people so sending hardcopy invitations to party offices without prior notice makes it difficult for the IPAC members to keep track of issues of IPAC when they are on the campaign tours. He suggested that the EC could send soft copies of letters and invitation to all the three representatives of the various political parties by email to enhance information flow. He added that the EC could also make use of technology to make some meetings virtual to solve

the problem of lateness and absenteeism. This was also reiterated by a Deputy Director at the EC, when he said the EC could also improve communication by sending out invitation, agenda and minutes of IPAC meetings early enough to allow for preparation by members.

The EC can work at solving the problem of poor communication within IPAC by making conscious efforts to engage IPAC on issues that have great impact on the electoral process or adopt a principle of giving out crucial information to IPAC before it goes to the general public even if the issues is not open for discussion.

Additionally, because of the technical nature of some IPAC discussions, preparation by parties is very necessary for the commission to puts in efforts to send meeting notice, agenda and previous minutes out early to enable adequate preparations by members of IPAC. Furthermore, to reduce the impact of late notice meetings to IPAC deliberation, IPAC meeting days and time can be institutionalized to particular weeks in the month so all members know by default when IPAC meeting is coming off .

Finally, to solve the problem of poor communication between the EC and IPAC, respondents suggested that the EC should adopt technological means of calling for and holding IPAC meetings. This can be done through sending meeting invitations via emails to all IPAC members to allow them adequate time to prepare for the meeting. In the area of the use of technology, virtual avenues like zoom can be harnessed as not all meetings should be physical.

### **5.2.3 Entrenched Positioning**

The existence of institutions responsible for sharing of information in democracy can mitigate the potential for excessive partisanship, ethnic and political polarisation and conflicts and ultimately help avoid democratic breakdown. On the other hand, the absence of such institutions may increase negative tendencies and also has the potential for fuelling ethnic and

political violence which may undermine social cohesion (Gyimah-Boadi and Asante, 2006). The success of the IPAC in contributing towards ensuring free and fair election has seen its replication in the regional and district levels and most importantly in other African countries like Nigeria, Liberia, Zimbabwe amongst, others. However, the IPAC in the Ghana has not had a smooth ride due to entrenched positions of the EC and the political parties. The 1992 elections and the brouhaha that followed the elections led to observer groups recommending the need for stakeholder engagement in the area of electoral management. In this way, IPAC was formed to build consensus on electoral issues. In as much as the independence of the EC is vital, the relevant role of stakeholder consultation should not be underestimated. High-level consideration should be given to inputs from other stakeholders for the running of free and fair elections as the environment of an election adds to the credentials of the EMB.

Since 1992, the EC has held seven elections out of which two that is, the 1992 and the 2012 have been disputed although their results have been accepted. Asante (2013) argues that the missing link in the disputed elections of 1992 and 2012 and the highly acceptable others was the absence of a strong IPAC to deal with complaints of parties to promote confidence in the EC while reducing excessive partisanship to ensure a conducive political environment for the elections. The absence of IPAC during the 1992 election and the weak presence of IPAC in 2012 meant that political grievances which were settled amicably at IPAC were later sent to the courts and discussed in the media; a situation that generated more tensions and anxiety which worked together to poison the political atmosphere in the three phases of the election.

Accordingly, some members indicated that the EC was sometimes heavy-handed and intolerant at IPAC meetings and called for the leaders of the EC to respect the suggestions and decisions of IPAC, especially in cases where parties generally agreed about a particular issue (IDEA, 2011).

In nascent democracies, consensus building and compromises are great features in conflict resolution. However, IPAC meeting has been faced with sides taking a strong stance that does not allow for objective criticism and inputs. Both of the main political party sides have accused each other of hindering the progress of the EC and ultimately elections in the country because of the barrier it creates around itself.

An NDC representative on IPAC, who was interviewed for this study lamented that the current EC had taken entrenched positions which did not allow for inputs. *“He added the last four years of working with the EC had been difficult”* because it had reduced IPAC to an information receiving body. He claimed that the posturing and attitude of the EC and her deputies had been to give information to IPAC as deliberation on issues are not done. He cited the EC of rubbing the EC’s Independence on their face anytime constructive arguments were made by political parties, which needed to be considered by the EC before final decisions are taken. He particularly mentioned the *“EC’s entrenched stance on the Compilation of a new Voters register in the midst of COVID 19”*. His party (NDC) argued that the compilation of a new voters register for elections should not be done in a rush but was blatantly ignored by the EC as it went ahead with the registration.

The IPAC is also faced with Political Parties taking entrenched positions, which have become known as ‘party agenda’. This development makes it extremely difficult for objectivity in discussions as the parties attend meeting with a mind-set on what the EC should do instead of the original motive of objective discussions before decision are taken at IPAC. Representative of political parties, therefore, refuse to be reasonable even when good explanations are given for suggestions and decisions. This situation has been partly attributed to the fear of backlash top party members who are not part of IPAC.

The CODEO representative in this study, observes that this entrenched position of political parties makes them behave poorly, disobey simple rules and sometimes disrespect the EC at

meetings which interrupts IPAC meetings and discussions. To him, IPAC can yield better fruits if all parties engage in debates objectively and no party feels decisions are meant to disadvantage them in the electoral process while giving their opponents an undue advantage.

A senior official of the EC and member of IPAC, in an interview on discussion of the entrenched position at IPAC, he stated that entrenched position at IPAC discussion have an impact on the EC. *“However, Article 43 of the 1992 constitution mandates the EC to take decisions in the best interest of the state and that is exactly what the EC does under such tensed situations”*.

The taking of entrenched position by both the EC and political parties is a worrying situation and a recipe for disaster because on the surface, the EC might think that it can have its way but at the end of the election if results are contested it will affect the credibility of the Commission. The political parties must also acknowledge the mandate of the EC and thus work around making demands that can be met. The objectivity of political parties is also very crucial in consensus building, as parties must not kick against EC decisions just because their opponents are in support of it.

To help curb this challenge facing the IPAC there is the need for openness on the part of the EC. This is because being accommodating to the interests of all stakeholders allows them to bring out objective criticisms that will ensure improvement in elections in the country. By being open political parties, confidence in the electoral system is also boosted and this has a beneficial effect on the whole country. Additionally, political parties must be objective and reasonable in some of their deliberations at IPAC. Political parties have to bring up arguments and facts that support their position on issues to sound convincing to all stakeholders. There is also the need for education of IPAC members on the laws that they work with, as that is their terms of reference to guide IPAC discussions. An NPP IPAC

representative also argued that political parties must educate their representatives on the laws so that they are well informed and thus basic decisions are taken smoothly.

#### **5.2.4 Funding**

Another challenge that inhibits IPAC's contribution to ensuring free and fair elections in Ghana is the absence of funding, although donor funding was received previously according to Quartey et al. 2010. The current situation puts the funding of IPAC on the EC, which is already under resourced and depends on donors for a large chunk of its funds. The EC gets funding directly from the consolidated fund although in the accessing of the funds the EC faces delays (Okrah 2015). The insufficiency of funds has led to the EC seeking foreign support to supplement its budget. During the 2000 elections for instance, the EC received 53% of its total budget from donors. This is a very disturbing trend, which must be looked at if we are to consider the future of the country's democracy.

It was evidenced in the study that IPAC can make more impact if it is able to get special funding to enable political parties to conduct electoral research the necessary funds to do electoral research that will help its member to participate fully in debates at IPAC and go a long way to build the capacity of members of IPAC. A respondent was of the view that the EC, taking entrenched stance and having its way is as a result of the poor research capacity of political parties. He added that debates at IPAC meetings are technical and because of that political parties need to do proper research before they can argue constructively or be taken seriously by the EC. This can only be possible if funds are available to be accessed by parties to undertake the needed research.

Besides this, periodic training of IPAC members on the laws governing elections would provide members basic understanding to partake in discussions with an open and well informed mind. However, the insufficient status of funding of the EC to run core activities of

the Commission makes it highly impossible for the EC to offer training for members of IPAC.

Respondents of this school of thought (need for funding for IPAC) argued that IPAC deliberations and decisions would make more impact when they are implemented well. They argued that the grass root involvement in EC's activities helps build the confidence the general public has in the EC thus there was the need to train party agents. These party agents can be said to be the implementing arm of IPAC because they form the RIPAC and DIPAC at the grassroots level and they work directly in monitoring polling and registration officials so they should have strong knowledge on the electoral system. Although such training are expensive due to the existence of many political parties in Ghana, it is a necessary price to pay for Ghana's democracy.

Although respondents from the EC did not see funding as a challenge to IPAC due to their simplistic analysis of funding for IPAC that is, refreshing members after IPAC meetings, funding for such trainings should be done to ensure that decisions are well implemented at the grass root. Donor support in the past made it possible for the EC to train party agents and their polling officials together but the high cost in such trainings cannot be bore by the commission alone. Finally, proper funding of IPAC would see to the issuance of sitting allowance to members IPAC to increase their consistency in attending meetings and thus curb absenteeism and improve dedication and punctuality.

As a solution to mitigate the problem of funding for IPAC, the EC, as the convenor of IPAC meeting should get a special component on it budget that will factor in the broader ways of increasing IPAC's impact and improving discussions at IPAC. In addition, measures can be put in place for IPAC to get external donors to provide funding to run IPAC well as it would, largely, improve IPAC debates and democracy in the country.

### 5.3 EC STILL DESIRING IPAC

IPAC's success in assisting the EC to introduce pragmatic interventions and reforms that promote free and fair elections after the disputed 1992 election earned IPAC recognition and acceptance both locally and abroad as a major innovation and an instrument for inter-party dialogue, confidence building, and political stability promotion. Due to these important contributions and its growing popularity, there is high optimism that IPAC would continue to play an influential role in promoting credible and peaceful elections (Asante, 2013).

Its good works have attracted other African countries to emulate this quasi-legislative body. The EC has received delegations from countries such as Nigeria (UNDP, 2012) and Uganda (Ghana News Agency, 2013) to study how the IPAC and inter-party dialogue can improve the conduct of their elections.

Some political parties have called for IPAC to be given legal backing but this has not received support in our study as most respondents were of the view that IPAC as a creation of law could threaten the independence of the EC. The few respondents who supported a legal backing for IPAC argue that the legal backing should only prevent a future EC who feels threatened by the body from dissolving it and not to give IPAC a supervisory role over the EC.

The head of the European Union Election Observer Mission (EU-EOM), Nickolay Mladenov, stated in the final report on election 2008 that 'the IPAC meeting should be developed as a more regular platform of dialogue between the Electoral Commission and the political parties' (Hayford, nd). Similar recommendations were made by the election observer missions of the African Union and the Economic Community of West African States, with some suggesting once more that IPAC should be institutionalised.

The growing popularity of IPAC and its continued engagement by successive EC Chairs is proof enough that the EC still desires IPAC. The study showed that despite the little hiccups in IPAC the EC still desired IPAC and the study showed varying reasons for this desire for IPAC. The representative of CODEO for this study and a former senior EC official, argued that the EC knows the need for checks and balances thus they acknowledge that they cannot work effectively without consultation with the political parties. He added that members of IPAC who fall in the observer groups equally contribute to free and fair elections in Ghana. The EC knows the instrumental role they play in election management. He particularly, mentioned how the “EC uses CODEO’s result collation role to cross check their results collation after elections”. He added that other CSOs in IPAC like CDD and IDEG provide expert advice to the EC to ensure free and fair elections. The stakeholder theory the study chose to explain the findings explains how the EC’s continued engagement with electoral stakeholders in IPAC has improved its performance from the 1992 disputed election to the 2016 elections.

NPP representative at IPAC, also in agreement with this argument asserted that the EC still desires IPAC because stakeholder consultation is one of the best modern practices in electoral management thus, the EC knowing the role of stakeholder consultation cannot decide to do away with IPAC.

However, a PNC representative at IPAC argued that the current EC’s continued assertion of independence makes it clear that it was not keen on consensus building which was the reason for which IPAC was formed. He added that this posture of EC reduces the relevance of IPAC. The NDC IPAC representative corroborating the earlier view asserted that the current EC’s unaccommodating posturing and poor communication which was evident in their entrenched position on compiling the new voters register for the 2020 election leaves one in doubt that

the current EC does not desire IPAC. In addition, the actions of “the EC Chair and her Deputies and poor engagement with IPAC shows that they wish IPAC was not in existence”.

According to Gyimah-Boadi & Yankah (2012) “Ghana’s two main political parties, in the firm belief that it is possible to achieve electoral victory by outdoing the other in intimidation and rigging, have shown little interest so far in correcting some of these lingering barriers towards further improving the credibility and peacefulness of Ghanaian elections”. Asante Kissi (2012, p.149) shares a similar view when he asserts that “leading political parties, particularly when in opposition are more likely to find problems with the EC as being in league to surreptitiously circumvent the electoral process. They do this as a strategy to save their image in the event of defeat.” It is therefore not surprising that the opposition parties in the study portray and create the image of feeling intimidated and side-lined by the EC as the electoral history of the Fourth Republic has been characterised by EC and opposition parties suspicion and allegations of marginalisation. On the other hand, ruling parties are seen to be supportive of the EC. Even under the same leadership of Dr Kwadwo Afiyie Djan, ruling parties are supportive but this change immediately there was a change-over of power. This has however not been tested on the two female leadership as Mrs Charlotte Osei managed one election and the current EC, Mrs Jean Mensah is in the process of organising her first election.

Through all these divergent views on the desirability of IPAC to the EC the study revealed that majority of respondents including all the three officers of the commission interviewed, all civil society groups and some political parties were of the view that the EC still desires IPAC. And this explains why the EC continues to engage with IPAC after the compilation of the new voters register for the 2020 election. A senior official of the EC, asserted that IPAC could be said to be institutionalized in Ghana’s electoral system already as upon the 2012 petition recommendations the IPAC improved in its way of operations. He adds that IPAC

meetings which were initially organised without any minutes being taken for records purposes have changed for the better as proceedings are now recorded.

The path dependence concept of the HI theory effectively explains why most of the respondents acknowledged that the EC still desires IPAC. The EC as an institution has built an institutional culture of stakeholder consultation and this has yielded tremendous impact on its performance thus it will stick to that way of doing things, as they know the repercussions of a change in this culture. They will therefore continue to engage IPAC. The positive contributions of IPAC makes the EC dependent on IPAC. It is thus against this background that it will therefore be difficult for the EC to end such a relationship.



## CHAPTER SIX

### SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

#### 6.0 INTRODUCTION

This Chapter primarily focuses on the summary of the findings of the study. It begins with discussion and analysis of the issues and makes recommendations based on the conclusion that is drawn from analysis.

#### 6.1 SUMMARY OF FINDINGS

This study assesses how the IPAC has so far worked with the EC to ensure free and fair elections in Ghana. In order to carry the discussion to its logical conclusion, the following questions were used to guide the study.

1. What specific contributions and innovations have IPAC and EC made in ensuring Free and Fair Elections in Ghana's Fourth Republic? To what extent have these innovations undermined or improved elections in the country?
2. What challenges have the IPAC faced in the course of its work and how can these challenges be addressed?
3. Is IPAC still desired by the EC?

Following the discussion and analysis of the issues under investigation, the study found out that the IPAC, in spite of its occasional differences with the EC, has been able to work with the EC to promote free and fair elections in the country. In order to situate the study in its proper context, we employed five out of the ten indices of free and fair elections developed by Goodwin-Gill (1994) as the basic framework to undertake the exercise. The indicators that were specifically used for the discussion and analysis included electoral laws and systems (ELS); electoral management (EM); voter registration (VR); balloting, monitoring and results (BMR) and Complaint and Dispute Resolution (CDR).

Democracy works better in an environment where law and order exist. The study revealed that Ghana has a lot of laws and electoral system that support its electoral administration. These include constitutional, legislative instruments and specific laws. In all of this, the 1992 Constitution is the basic law from which all the various laws relating to electoral administration derive their powers. In fact, the Constitution is the source of the electoral system of the country. It establishes the First-Past-The-Post system (FPTPS). Although the electoral system was established by the 1992 Constitution, both the EC and IPAC have collaborated to draft a number of laws in the form of instruments and specific bills which have been passed into laws by Parliament, and these laws have been used to regulate the conduct of the various actors of elections and shaped the frontier of the country's electoral system.

In the area of EM, it was evident that the establishment of IPAC in 1994 has made it possible for the various stakeholders in elections to deliberate on issues that affect the smooth running of elections. The study found out that some of the issues that were deliberated upon at IPAC led to reforms and innovations that brought improvement in the election management processes. Some of reforms that were introduced by the EC include the use of transparent ballot boxes and thumb print ID cards before the 1996 elections. Others were the introduction of biometric verification device which have contributed in improving in transparency in the electoral process and thereby boosting public confidence in the electoral system.

The study identified voter registration (VR) and a credible voters' register as important pivots on which credible elections revolved. Over the years, concerns have been raised about voters' register and how it is procured. There exists the belief that the register is over bloated with names of minors and foreigners, among others. Through the instrumentality of IPAC, a new voters' register was compiled in 1996. Though there have been continuous agitations over voter registration, the EC has not relented on its efforts to register people from time to time so as to update the register and purge it of names of unqualified persons. In order to reduce

disputes associated with voter registration, the study found that through the work of the IPAC, a number of innovations such as the introduction of challenge forms to allow the legality of the registration of certain individuals to be challenged. Another handiwork of IPAC has been the establishment of Registration Review Committees (RRCs) to resolve disputes over voter registration at various level. There is no doubt that these innovations have enhanced the credibility of the register and improved elections in the country.

Another finding of the study is in the area of Balloting, Monitoring and Result (BMR), which is critical for ensuring credible election. Based on the work of IPAC, the EC was able to replace the opaque ballot boxes, which were used for the 1992 elections with transparent ones. Further, the EC was able to organise both the parliamentary and presidential elections on the same day. One of issues the opposition raised after the 1992 elections was the holding of both the parliamentary and presidential elections on separate days. Other efforts by IPAC that led to the improvement in the area of BMR included the introduction of biometric verification machines. Over the years, there have been claims of impersonation and voting by unqualified people, particularly minors and foreigners. The introduction of BVD helped reduce the incidence. Besides this, the introduction of party agents at polling stations and counting of votes at the stations after polls, which were suggested by the IPAC has enhanced transparency and legitimised the electoral process. Finally, IPAC members, some of whom who were members of CSOs served as domestic election observers. Over the years, CODEO has become a credible observer body for elections in the country. Its reports have been part of policy inputs by the EC and led to reforms that have greatly improved the quality of elections in the country.

In a democracy, the existence of an effective election complaints resolution mechanism contributed to the quality or otherwise of elections. In line with this, the study found that since its inception in 1994, IPAC has played a key role in the area of complaint and dispute resolution (CDR) by collaborating with the EC to establish adjudication bodies in the regions

and districts to resolve electoral disputes. Conflict resolution platforms such as RIPAC and DIPAC at the regions and districts respectively have helped to resolve a number of election related disputes. The recent introduction of Challenge Forms and RRC which adjudicates on issues of voter registration at various levels and have improved the quality of elections, and they are part of the handiwork of IPAC. In fact, the continuous engagement between IPAC and the EC has increased tolerance amongst political parties and limited the incidence of electoral disputes. In addition, both the EC and the political parties in IPAC have assisted the courts with documents and information to assist the judicial determination of disputes. In spite of this some contested issues at IPAC has ended up in the courts for decision. Through various IPAC meetings of electoral stakeholders, issues that could create tension and create security challenges have been dealt with amicably. This collaboration has helped to reduce suspicion and antagonism which could have resulted in disputes between the EC and the various political parties.

In terms of challenges confronting the IPAC, the study found mistrust among members of IPAC, poor communication, entrenched positions by the members of IPAC and lack of funding. A number of solutions have been suggested to deal with them.

In the case of mistrust, the study found that mistrust hinders the progress of IPAC. For instance, it was clear from the study that any party in power, appears to be in an alliance with the EC to the extent that it supports the EC without question while the opposition parties tend to oppose the EC without measure. To solve this issue of mistrust, the study suggests that the EC should intensify its communication at the level of IPAC.

Regarding the problem of poor communication among members of the IPAC, the study found out that part of the problem was due to the late invitation to some members of IPAC to meetings and claims of unilateral decisions by EC. Other problems relate to the making of important announcements by the EC through the media rather than at the IPAC meetings. The study proposes the use of technology to provide information on meetings. The study further

suggests continuous engagements between the EC and IPAC before important announcements are made.

From the study, it was found that due to the various interests of the political parties. Some of them take entrenched positions at IPAC meetings and they have the potential to defeat the purpose of the creation of the body. It was evident that the EC, occasionally takes decisions unilaterally without inputs from IPAC thus eliminating the need for “consensus building” which is necessary for the continued relevance of IPAC in election administration.

The study observed that funding was a major problem that militates against the effective functioning of IPAC. The study showed that because IPAC deliberations require extensive research, it is recommended that the EC make financial allocation for IPAC in its budget. Part of the funds could be spent on allowances for member of IPAC to sustain their interests as well as training in the area of laws that govern electoral management in Ghana.

In assessing whether or not the EC still desires IPAC, the study observed that as IPAC has become a part of best management practice for the conduct of free and fair elections it is indispensable to the EC. The study showed that although successive opposition parties have tried to reduce the importance and relevance of IPAC, it is evidently clear in the study that the establishment of IPAC was a strategic move by political parties to cooperate with the EC in a constructive manner to effectively manage elections through stakeholder consultation.

## **6.2 CONCLUSION**

Based on the above, the study established that part of the success that the EC has achieved in the areas of election administration in the Fourth Republic is traceable to the contribution of IPAC.

Though it is clear from the study that the EC still desires IPAC and vis versa, there is the need for them to cooperate to remove the mistrust and suspicion that have bedevilled their relationship and threaten to undermine the electoral process.

From the findings, discussion and analysis it became evident that in order for IPAC to achieve its full potential, the challenges that it faces needs to be addressed through conscious efforts of all members of IPAC.

### **6.3 RECOMMENDATIONS**

To ensure the continued improvement of in the country's electoral process and the consolidation of the current democracy, the study has come up with the following recommendations based on its findings:

- The current management of the EC must be open and accommodating to members of IPAC while at the same time maintaining its firmness as a referee. In this connection, stakeholder consultation and consensus building should be one of the priorities of the EC in order to derive the full benefit of IPAC.
- Political parties should note that IPAC is just an advisory body and the EC is not bound by it. Besides, they should note that decisions of the EC are always weighed against cost, law and practicability of the proposal (best interest of the state). In addition, parties should not expect every single decision of the EC to be brought to IPAC for discussion since the EC is mandated by the Constitution to act as an independent body without any restrictions whatsoever.
- Foreign donors who act as observers at IPAC meetings should be encouraged to provide financial support for the training of party agents and other members of IPAC on electoral laws to improve the work of IPAC.
- The EC should make good use of technology to improve communication with members of the IPAC.
- Education and sensitization on new reforms should be extended to polling officials and other implementing bodies to ensure that all reforms achieve their positive purpose.

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