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Joseph R.A. Ayee

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## Ghana's elections of 7 December 2016: A post-mortem

Joseph R.A. Ayee

University of Ghana, Legon, and Institute for Democratic Governance, Accra, Ghana

### ABSTRACT

Ghana went to presidential and parliamentary polls on 7 December 2016, leading to the defeat of President John Mahama and the National Democratic Congress government by the opposition, the New Patriotic Party led by Nana Akufo-Addo. The outcome of the elections therefore followed in the same vein as those held in Ghana in 2000 and 2008, in which the incumbent party lost to the opposition. This article is based on a desk study review of the 2016 elections. There is a brief overview of the state of affairs in Ghana's electoral politics, followed by a discussion of Ghana's electoral reforms, the organisation and management of the elections, the candidates and the campaigns, and the outcome of the elections, as well as some of the challenges that faced the transition process.

### KEYWORDS

Ghana; elections; Mahama; Akufo-Addo; National Democratic Congress; New Patriotic Party

### Introduction

Since Huntington's<sup>1</sup> treatise on the 'third wave' of democratisation in the 1990s, elections have been regarded as the right and acceptable means through which regimes are changed in Africa. Frequent and competitive elections are considered central to democracy because they provide opportunities for citizens to either endorse or reject the performance of an incumbent government. In other words, the opportunity to choose through periodic and competitive elections who will govern a country is widely held as the hallmark of representative democracy.<sup>2</sup> Elections are an essential part of the democratic development and consolidation of every state; they represent a major means of increasing citizen participation in political life and achieving the twin objectives of poverty alleviation and human development.<sup>3</sup> Some of the grounds for justifying the holding of elections include the capacity of citizens to influence the conduct of politicians, the compensation for private inequalities by public or state resources, the distribution of power in society, the consolidation of new democracies and the promotion of their legitimacy. In short, frequent and competitive elections are designed to supply legitimacy and to solve principal-agent problems (ie, the voters as principals holding their representatives as agents in check), as well as to ensure governmental responsiveness.<sup>4</sup>

Against this backdrop, this article based on a desk study examines the 7 December 2016 presidential and parliamentary elections in Ghana, a state which has been identified

as part of the 'third wave' of democratisation in the 1990s. The country has held seven elections since that time (in 1992, 1996, 2000, 2004, 2008, 2012 and 2016). Notably, the elections of 2000, 2008 and 2016 resulted in alternation in power from one political party to another. The New Patriotic Party (NPP) wrested power from the incumbent National Democratic Congress (NDC) in 2000, while the NDC came back to power after winning the 2008 elections from the NPP. In 2016, however, the NPP soundly defeated the ruling NDC, which was very sure that it would win the elections.

There are two reasons that made the 2016 elections perhaps unique even though the country has successfully held several peaceful elections over the last 24 years. The first is the appointment of a new chairman for the Electoral Commission (EC) and the perception of her being inexperienced for the role and therefore subject to manipulation.<sup>5</sup> The second is that it has been emphasised that the 2016 elections took place in a more challenging context than the past six elections. The political stakes were widely perceived to be higher than in previous presidential elections, as the incumbent president sought re-election after his party had been in office for two terms and, conversely, the main opposition candidate pursued his third and perhaps final run for office. Public confidence in election administration was heavily tested during the protracted petition challenging the 2012 presidential results, and the EC had its first new chairperson since 1993. In this highly charged political environment, the need for inclusion, transparency and accountability was heightened, especially as procedural disputes became politicised, further fuelling tensions and raising fears of election-related violence.<sup>6</sup>

Following this introduction, there is a brief overview of the state of affairs in electoral politics in Ghana. This will be followed by a discussion of the electoral reforms implemented before the 2016 elections. The organisation and management of the elections, the candidates and campaigns, the outcome of the elections and the transition process will be put under the microscope. The paper then concludes by highlighting some lessons.

## **Electoral politics in Ghana: The state of affairs**

Much ink has been expended on electoral politics in Ghana since the return to constitutional rule in 1993. The studies have focused variously on outcomes and challenges of the elections, voter alignments and rationality, ethnicity, legal and institutional frameworks, voting patterns, campaign issues, party financing and abuse of incumbency, elite consensus, candidates' selection, election management, management of conflicts, ideology, manifestos and the transition to and consolidation of democracy, progressing through the seven elections held in 1992,<sup>7</sup> 1996,<sup>8</sup> 2000,<sup>9</sup> 2004,<sup>10</sup> 2008,<sup>11</sup> 2012<sup>12</sup> and 2016.<sup>13</sup> A few of the studies, however, were comparative as they focused on the numerous political, economic, social and other environmental factors, both local and international, that have mediated electoral politics, thereby affecting the processes that have led to electoral outcomes and the meaning of representation in the six elections.<sup>14</sup> In addition, some of the studies were based on responses to questionnaires by respondents.<sup>15</sup> This article contributes to the burgeoning literature on electoral politics in Ghana by examining the 2016 elections with specific reference to electoral reforms, organisation and management of the elections, the candidates and campaigns, and scrutinising the outcome as well as the transition process.

## **Electoral reforms before the 2016 elections**

Ghana is considered one of the most resilient democracies in West Africa, having consolidated as a democratic society after two and a half decades of military rule and political instability. Since 1992, political governance, a necessary crucible for sustaining economic governance, has steadily improved.

The period of multiple coups during the post-independence era has given way to a stable multi-party democracy. Seven elections have been held from 1992 with peaceful transfers of power between the country's two main political parties, namely, the NDC and the NPP.

A number of electoral reforms were implemented after 1992 to enhance the transparency and credibility of the electoral process and outcome. They include the replacement of opaque ballot boxes with transparent ones and thumb-printed ID cards with biometric registration and verification processes; the replacement of the Political Parties Law (PNDCL 281) of 1992, which was seen as obstructive to competitive party politics and democratic progress,<sup>16</sup> with the Political Parties Act 574 of 2000 to guarantee greater participation of the citizens; and the holding of presidential and parliamentary elections on the same day. In spite of the reforms, elections in Ghana have been characterised by some malpractices and alleged rigging.

The December 2012 elections were won by the ruling party, the NDC under the leadership of John Mahama, by an overall national vote of 50.7%. The NPP under Nana Akufo-Addo secured 47.7% while the remaining candidates had an aggregate of 1.6%.<sup>17</sup> The election results were challenged at the Supreme Court (SC) by the opposition NPP, which alleged election irregularities and the cancellation of over 1 million votes. On 29 August 2013, the SC dismissed the case and upheld Mahama as the legitimately elected president. The NPP candidate, Nana Akufo-Addo, conceded defeat and indicated that he and the NPP were not going to seek a review of the verdict of the SC in the interests of the country.

The peaceful arbitration of the election petition with both political parties accepting the ruling further consolidated Ghana's democracy. The court case no doubt largely divided the country on political lines. This notwithstanding, the risk of instability was muted by calls from civil society, the clergy and the National Peace Council for peace and order to be maintained in the country.

The outcome of the petition highlighted some weaknesses in aspects of electoral administration, including doubts about the integrity of the voters register, high incidence of invalid or rejected ballots and random instances of electoral irregularities, among others, and therefore the need for electoral reforms. These reforms were recommended by the SC and were to be initiated and implemented by the EC, or more specifically, the election management body. It is to these reforms that we now turn.

### ***Post-2012 reforms***

Following the 2012 presidential election petition, there were numerous calls for reform and improvement in the electoral process for Ghana's nascent democracy. Accordingly, the EC in 2013 set up a Special Reform Committee (SRC), which was tasked with synthesising the various reforms proposed by the panel of justices of the SC and political parties. Membership of the SRC included representatives of the political parties, governance

institutions and civil society organisations (CSOs). The SRC recommended 29 reforms, which first went to the Inter Party Advisory Committee (IPAC) for discussion and thereafter were all accepted by the EC with the exception of two, namely,

- membership of the IPAC should be expanded to include CSOs; and
- there should be no voting without biometric verification.

The first was rejected by the EC on the grounds that the IPAC should remain the platform for engaging political parties only. The CSOs may continue to attend the IPAC meetings as observers but not as members. On the second, the EC maintained that, in the event of a false rejection of a voter by the biometric verification devices, provision should be made for manual verification to prevent disenfranchisement of voters by the equipment.<sup>18</sup>

The 27 reform proposals which were accepted by the EC and implemented before and during the 2016 elections were meant to make the polls more transparent, inclusive, credible, uncontested and acceptable to all the stakeholders.<sup>19</sup> All 27 reform proposals with the exception of three were fully implemented. Those implemented include the setting up of a national collation centre to replace the 'strong room' perceived as non-transparent by party agents, a reduction in the number of voters per polling station from 1000 to 850, institutionalisation of the IPAC, and capacity building and improved remuneration for EC staff. The three reform proposals not implemented were the publication of the presidential election results per polling station on the website of the EC, the change of election month from December to November, and electronic voting. The latter two were beyond the EC, as they involved the collaboration of other institutions and the country as a whole. For instance, when the EC put the constitutional amendment bill calling for a change in the election date before Parliament, it was rejected largely on partisan and practical grounds. Electronic voting, on the other hand, was not adopted on the grounds that the population lacked adequate general literacy and computer literacy. Publication of the presidential election results per polling station on the website of the EC was not undertaken because of technical challenges, including the hacking of the website of the EC during the December elections.<sup>20</sup>

The reforms resulted in the preparation of a new set of public elections regulations, captured in Constitutional Instrument (CI) of 2016, which regulated the registration of voters and the conduct of the elections after it was passed by Parliament. This gave the political parties some assurance that the outcome of the elections would be credible and therefore contributed to the acceptance of results by all the parties in spite of one or two reservations by the losing NDC which could not be supported with evidence.

## **Organisation and management of the 2016 elections**

The preparedness of the EC to organise and manage the 2016 elections was initially doubted on largely operational and legal grounds.<sup>21</sup> First, the appointment of Charlotte Osei as the new Chairperson of the EC in June 2015 by President Mahama created a perception of inexperience and manipulation from the minority political parties, particularly the NPP, with some calling for her resignation ahead of the polls when her performance was benchmarked against that of her predecessor, Kwadwo Afari-Gyan, who had successfully overseen five elections since 1996.<sup>22</sup> Matters were not helped much by the public

performance of the new chairperson, nor by some of her actions which seemed to convey that she was the sole electoral commissioner and not the chair of a collective EC made up of seven members, of which she was *primus inter pares*. The EC was chastised for launching at the end of April 2016 a five-year strategic plan (2016–2020), including a change of logo and the goal of becoming the benchmark in Africa for conducting ‘independent, trusted, world class democratic elections for citizens and candidates alike’.<sup>23</sup> This launch was considered unnecessary, ill-timed and demonstrating a lack of seriousness on the part of the EC when it was still grappling with elections-related activities.<sup>24</sup>

Even though the launch of a strategic plan was a good thing in itself, the criticisms stemmed from the inability of the EC to communicate well with the public on the state of the 27 electoral reforms and its election time-table, even though they were discussed at IPAC meetings to improve transparency.<sup>25</sup>

The EC did not have a communication strategy until it launched an 88-page first-ever communication strategy at the end of August 2016, with support from the United States Agency for International Development. This strategy sought to transform the image of the EC and improve its relationship with stakeholders.<sup>26</sup>

The launch of the communication strategy led to improved communication by the EC with the public and the engagement of political parties in more open discussions. In regular meetings with the IPAC, the EC developed consensus on revisions to the administration of the electoral process. For example, political parties observed the procurement process of newly designed ‘pink sheets’ – the results sheets given to party agents at polling stations – adopted as a consequence of the litigation over the 2012 polls.<sup>27</sup>

Second, the challenge of a clean voters register has always dogged Ghanaian elections since the return to constitutional rule in 1993, even though it has been recognised that one of the prerequisites for a credible electoral process is the production of an accurate voters register, as it guarantees that all eligible voters are provided with the opportunity to vote.<sup>28</sup> The voters register was the subject of contention in the 2016 elections as stakeholders raised concerns about the inclusion of unqualified people such as under-aged voters. Some stakeholders called for the creation of a new voters register, but the SC dismissed the request as it found it not necessary to have a new register.<sup>29</sup> The SC ruled instead that there should be an update of the existing register. A limited voter registration exercise for first-time voters was therefore conducted from 28 April to 8 May 2016, during which 1,031,356 voters were added to the register. This was followed by the public display of the voters register for objections for 21 days from mid-July to mid-August 2016.<sup>30</sup>

Concerns were also raised about registrants included on the register based on the national health insurance scheme cards, which had become invalid as proof of identity for registration with the repeal of the Public Elections (Registration of Voters) Regulations CI 72 of 2012. In July 2016, the SC ordered the EC to delete the names of individuals who had registered using the national health insurance scheme card from the voters register. This led to the deletion of the names of 56,900 citizens, who were offered the opportunity to re-register with a different document. The registration of prisoners and the special voting exercise for election officials, accredited media personnel and security agencies was seen as promoting inclusion.<sup>31</sup>

The final voters register for 2016 had 15,713,499 registered voters in contrast to the 14,031,793 recorded in 2012.<sup>32</sup> In total the 2016 figure statistically represented more than 57% of the estimated total population of Ghana, which stood at 27.4 million

people in 2015 according to the latest Population and Housing Census (2010). With an estimated national growth rate of 2.5%, however, it is argued that a voting population of 15.7 million out of a population of 27.4 million is 'statistically unacceptable'.<sup>33</sup> This supports claims that Ghana's voters register is bloated.

The inaccuracy of the voters register, it is believed, largely contributed to some of the unrealistic projections of the NDC and NPP in the collation of their election results from their constituencies, providing them each with a false sense of hope of being in a 'comfortable lead' as the results trickled in.<sup>34</sup>

A third factor in managing the 2016 elections arose as legal challenges against the EC by some political parties and individuals sought to undermine its integrity and preparedness. Indeed, Osei's short term in office as chairperson of the EC was plagued with a litany of court disputes and controversy, most of which were lost. In fact, the entire electoral process was highly litigious. This includes the legal challenge of the People's Progressive Party (PPP) over the EC's increase of filing fees for presidential and parliamentary candidates and the disqualification of aspiring presidential candidates by the EC.

Two of the legal challenges deserve some space given their implications for the electoral process. The first was the EC's disqualification of 13 out of the 17 presidential candidates on grounds of errors and omissions on their presidential nomination forms, especially the number of subscribers, which did not meet the minimum required by law as the EC challenged some of the signatures. The disqualification of the presidential candidate of the PPP was nullified by the SC, which ordered the EC to allow the candidates to make corrections on their nomination forms. After the EC re-examined the forms, it approved the names of the presidential candidates of the PPP, NDP and PNC.

While the EC lost this case, it achieved two very important things. First, all outstanding cases were brought to an end, avoiding a multitude of cases going through the courts, which was especially important given the need for the electoral process to move forward and for the printing of ballots. Second, because the EC has no power to reduce the time between the end of the nomination period and the day of election, which should be not less than 30 days, the SC ruling gave the EC legal cover for holding elections 29 days after the nomination period, rather than at least 30 days as required.<sup>35</sup>

A second legal challenge concerned the EC's increase in filing fees<sup>36</sup> for candidates, on the grounds of lack of consultation of the political parties. The PPP filed a case at the High Court to seek interpretation of Article 296 of the Constitution to determine on what basis the EC set the new fees. The lawsuit was, however, dismissed by the High Court on 7 October 2016. Even though the EC won, the case further confirmed the perception among the minority parties that the EC did not consult them through the IPAC and that the EC was being manipulated by the ruling NDC to give the party an advantage over others.

In short, the organisation and management of the elections by the EC were by and large successful in spite of the doubts, perceived lack of neutrality of the EC, its unpreparedness and administrative lapses, the bloated register and the legal challenges, which did not affect the outcome of the elections as the polls were seen by both domestic and international observers as free and fair.<sup>37</sup> Unlike the 2012 elections, the results of the 2016 elections were not challenged in court. The political parties, voters, civil society organisations and the security forces also contributed to the peaceful and orderly nature of the polls.

## The candidates and the campaigns

Seven presidential candidates contested the 2016 elections, with six of the candidates nominated by political parties and one an independent (see Table 1). Of the seven candidates, only one was a woman, the wife of the first president of Ghana's Fourth Republic, J.J. Rawlings. The low number of women candidates at the presidential and parliamentary levels in the 2016 underscored the continuing gender imbalance in the country, in spite of democratisation efforts. International observer missions subsequently recommended measures to address this lingering weakness.<sup>38</sup>

For the parliamentary elections, candidates were elected from 275 single-member constituencies on the basis of first-past-the-post. A total of 1144 parliamentary candidates competed, having been nominated by 15 political parties out of the 24 political parties registered by the EC, while some stood as independent candidates. The figure of parliamentary candidates is a slight drop from the 2012 elections figure of 1330.<sup>39</sup> As in the 2012 elections, only the two major parties, the NDC and NPP, fielded candidates in all of the 275 constituencies in the 2016 elections. They were followed by the CPP and PPP with 216 and 164 candidates, respectively. The remaining fielded insignificant numbers ranging from 1 to 65. It is instructive to note that 65 independent candidates, who were unhappy over primaries in the NDC and NPP, contested various seats but lost. This is in contrast to the 2012 elections in which three independent candidates won their respective seats with one each in the Volta, Northern and Upper West regions.<sup>40</sup>

The campaign was intensive and vibrant although more subdued than the campaign environment of 2012. Political parties and candidates campaigned freely and basic freedoms of association, movement and assembly were respected. The campaign was dominated by the two major parties, the NDC and NPP, although campaign events of presidential candidates of the PPP, and to a lesser extent, the CPP, also attracted fairly large crowds.<sup>41</sup> The candidates conducted more constituency tours and fewer big rallies in comparison with previous elections. The campaigns were largely issue-based even though most of the political parties launched their manifestos between six and eight weeks before the elections.<sup>42</sup> In addition, the campaigns were, as usual, full of invectives despite the public disquiet expressed by some CSOs such as the National Peace Council, Catholic Bishops Conference, Christian Council of Ghana and Media Foundation for West Africa, which ran a project under the banner 'The Issues, not Insults'.<sup>43</sup>

The vilification and insults during the campaigns were symptomatic of the highly polarised and partisan nature of politics in the country. This disturbing trend has been bemoaned by all the past four presidents. For instance, President Mahama in his last

**Table 1.** Presidential candidates and their running mates for the 2016 elections.

Presidential candidate	Running mate	Political party/other
John Dramani Mahama	Paa Kwesi Amissah-Arthur	National Democratic Congress
Nana Akufo-Addo	Alhaji Muhammadu Bawumia	New Patriotic Party
Nana Konadu Agyeman Rawlings	Kojo Mensah Sosu	National Democratic Party
Ivor Kobina Greenstreet	Nana Gabby Nketia	Convention People's Party
Papa Kwesi Nduom	Brigitte Dzogbenuku	People's Progressive Party
Edward Mahama	Emmanuel Amenuvor Anyidoho	People's National Convention
Jacob Yeboah	Daniel Wilson Torto	Independent candidate

Source: Electoral Commission of Ghana.

state of the nation address on 5 January 2017, two days before he handed over, lamented that:

Partisanship for its own sake, in the end, is no better than dictatorship. If we look around the world, we can so clearly see the deep divide that blind partisanship is creating in nations with democracies far older than ours. We can see, too, the divide that it is threatening to create in ours if we are not careful. Already, it has taken a toll on our morale and our sense of optimism. It has given way to a cynicism that is as dangerous to the incoming political party as it was to ours.<sup>44</sup>

The use of hate speech during the campaigns, largely by a few NDC and NPP politicians, raised the political temperature in the country; a pervading fear of the potential for violence persisted throughout, which was not helped by the presence of vigilante groups associated with the NDC and NPP. In a rare public action, the chief of defence staff came out to warn that trouble makers would be dealt with if they did not desist from their actions. Prior to the elections, the EC and state security agencies identified 81 (30%) constituencies and some 5000 polling stations out of the 28,992 as 'hotspots' or 'flashpoints' with the potential for election violence. Various initiatives and statements on the need for peace were made, including the signing of the Accra Peace Declaration by presidential candidates, which was facilitated by civil society organisations on 1 December 2016 and included calls for a peaceful election from national and international personalities and organisations. However, most of the campaign activities passed without incident and attracted large numbers of people. A small number of isolated incidents – predominantly clashes between the supporters of the NDC and NPP – did occur, with some deaths largely owing to police inaction against the perpetrators.<sup>45</sup>

Notwithstanding the rising political temperature and the concern for security, Ghanaian civil society played an active role in monitoring the election process, and contributed to identifying and mitigating emerging tensions. Organisations and networks, including the Coalition on Domestic Elections Observers and the Institute for Democratic Governance, deployed an estimated total of 12,000 citizen observers, including large numbers of women, across the 275 constituencies on election day. In addition, a majority of the media practised responsible, objective and issue-oriented election reporting, although a few did not responsibly verify information received before broadcasting, thereby at times contributing to rumours spreading.<sup>46</sup>

Perhaps one of the darkest aspects was the abuse of state resources and incumbency leading to an un-level playing field, a recurring problem from past Ghanaian elections. The campaign period was not regulated by any specific law and no measures to regulate these issues were introduced. Resources of sub-national units such as employees, vehicles, buildings and other assets were used for the NDC campaign.<sup>47</sup> There were also several reports of the president using the official inaugurations of state projects for campaigning, leading to his nickname 'commissioner general'. Vote buying through distribution of money and goods by the parliamentary candidates – an electoral offence punishable by law – was a widespread phenomenon in the campaign.<sup>48</sup>

Another disturbing feature of the campaigns was the uncharacteristically high spate of public endorsements of the presidential candidates of the NDC and NPP, either by some traditional rulers or religious leaders or celebrities in the arts, for obvious gains or benefits should their candidates win. These endorsements were condemned by CSOs and, in the

case of traditional rulers, are in fact unconstitutional; traditional rulers are barred by the 1992 Constitution from taking part in active party politics unless they abdicate. It is, however, difficult to show if there is a correlation between the endorsements and the votes obtained by the presidential candidates of the NDC and NPP.

In spite of the hiccups and challenges, there is general agreement among election observers, CSOs and the majority of Ghanaians that on balance the elections were peaceful and orderly and considered free and fair. The EC was commended for organising credible and successful elections, in spite of the initial hiccups in the special voting exercise which was conducted for the security agencies and the media for two days prior to election day, and in spite of the breakdown of the electronic transmission system for the election results. There were some sporadic incidents at a number of polling stations across the country, including the case of Jaman North constituency in the Brong Ahafo Region; these elections were postponed to the following day because of some disagreements by the political parties over the voters register for the constituency.

### **The outcome of the 2016 elections**

Before the official results were released, both the NDC and NPP had claimed victory by holding press conferences while supporters rallied outside of the houses of their presidential candidates to declare their continuing support. The NDC as the ruling party claimed that it was in a 'comfortable lead' and at one point its general secretary assured followers that the party would devise a strategy to govern the country in case the party lost the parliamentary elections and won the presidential elections. The EC did not help matters as it delayed the announcement of the results, thereby coming under criticism from supporters of some political parties and CSOs. At a press conference held a day after the elections, the EC chair pointed out that the electronic system the EC was using for compilation of results had been compromised, thereby compelling officials to do the exercise manually and hence causing delay. She emphasised that 'this is not the first time results declaration has gone beyond 24 hours after the close of polls... the 2008 and 2012 elections results were announced about 72 hours after voting had ended. ... The duty we owe to Ghana is not to declare results quickly. Rather, it is our duty to declare accurate results'.<sup>49</sup>

When the EC finally declared the 2016 elections results after more than 48 hours after the close of polls, they showed that the presidential elections had been won by Nana Akufo-Addo, the 72-year-old flagbearer of the opposition party, the NPP. He defeated the incumbent president, John Mahama of the NDC, by taking 53.9% of the vote while Mahama had a 44.44% share of the vote. These figures contrast with those of the 2012 elections in which Mahama obtained 50.63% as winner while Akufo-Addo had 47.81%.<sup>50</sup> The result represented an increase of 6.2% for Akufo-Addo and a reduction of 6.3% for Mahama in contrast to the 2012 elections.<sup>51</sup> Significantly, both leaders won in their home regions, Akufo-Addo in the Eastern Region and Mahama in the Northern Region<sup>52</sup> (see Table 2).

The voter turnout was 69.28%, which is lower than the 2012 figure of 80.15%. This is reflected in the difference in the total votes cast for both the 2012 and 2016 elections, which stood at 10,995,262 and 10,881,083, respectively, in spite of the 1.7 million more voters listed in the voters register for the 2016 elections.<sup>53</sup> The decrease in actual votes cast has been attributed to voter apathy,<sup>54</sup> which the NDC cited as one of the reasons

**Table 2.** Presidential elections results in 2016 by region (percentage of vote per candidate).

Region	Nana Akufo- Addo	J.D. Mahama	Dr P.K. Nduom	I.K. Greenstreet	E.N. Mahama	Nana Agyeman Rawlings	Jacob Yeboah	Remarks
Ashanti	75.7	23.6	0.5	0.1	0.1	0.1	0.0	NPP retained
Brong Ahafo	54.1	44.6	0.8	0.2	0.1	0.1	0.1	NDC lost
Central	53.2	43.4	2.7	0.3	0.1	0.2	0.1	NDC lost
Eastern	63.9	35.1	0.6	0.2	0.1	0.2	0.1	NPP retained
Greater Accra	51.8	47.3	0.7	0.1	0.0	0.1	0.0	NDC lost
Northern	42.3	55.4	1.0	0.5	0.3	0.2	0.3	NDC retained
Upper East	34.2	59.3	3.5	0.6	1.5	0.5	0.6	NDC retained
Upper West	36.6	58.1	1.6	0.5	1.4	0.3	1.6	NDC retained
Volta	15.8	82.5	0.7	0.3	0.1	0.3	0.3	NDC retained
Western	52.4	45.4	1.5	0.3	0.1	0.2	0.1	NDC lost
National Total	53.9	44.4	1.0	0.24	0.21	0.16	0.15	NDC defeated

Source: Electoral Commission of Ghana, 2016.

for its defeat particularly in its stronghold, the Volta Region, which is referred to as its 'World Bank'.<sup>55</sup>

In addition to winning the presidential elections, Akufo-Addo and the NPP also won 169 of the 275 parliamentary seats, while the NDC took the remaining 106 seats (see Table 3). The NPP won the majority of seats in six of the 10 regions of Ghana, namely, the Ashanti and Eastern regions (strongholds of the party) and the four swing regions of Brong Ahafo, Central, Greater Accra and Western. Mahama and the NDC, however, won in the Volta, Northern, Upper East and Upper West regions, albeit with reduced votes compared with the results in the 2012 elections. The NPP gained 46 seats while the NDC lost 44 seats. The results of the elections were, indeed, an emphatic victory for the NPP – something that the party itself never anticipated.

By this defeat, Mahama became the first sitting president to lose an election in the Fourth Republic which began in 1993 and, at the same time, the first to have served for only one term in office. It also confirmed the two-term regime cycle of change since 1993. He graciously conceded defeat on the evening of 9 December, when he called Akufo-Addo before the official declaration of results by the EC. By then most of the

**Table 3.** Parliamentary results 2016 elections in Ghana (seats gained/lost).

Region	NDC	NPP	Total	Seats gained/lost by NPP
Ashanti	3	44	<b>47</b>	1
Brong Ahafo	9	20	<b>29</b>	7
Central	4	19	<b>23</b>	12
Eastern	6	27	<b>33</b>	1
Greater Accra	13	21	<b>34</b>	7
Northern	18	13	<b>31</b>	3
Upper East	12	3	<b>15</b>	1
Upper West	6	5	<b>11</b>	5
Volta	25	1	<b>26</b>	1
Western	10	16	<b>26</b>	8
Total	<b>106</b>	<b>169</b>	<b>275</b>	<b>46</b>

Source: Electoral Commission, 2016 Parliamentary Election Results, January 2017.

media, which had done very well in terms of voter education and empirical compilation of results, had earlier called the elections for Akufo-Addo. In his concession speech, Mahama said that he respected the will of the people of Ghana and promised to cooperate with the president-elect to ensure a smooth transition. He did note that the results were not what his party had expected and that, although he accepted the results of the elections, there were some irregularities. One such irregularity which the EC itself pointed out was over-voting in some of the constituencies, which was not, however, enough to influence the outcome of the elections.<sup>56</sup> In his victory speech, Akufo-Addo promised to be the president of all Ghanaians without discrimination, malice or ill-will to any ethnic group or political or religious affiliation.

It is worth noting that the smaller parties, namely, the PPP, PNC, NDP and CPP, and the independent candidate took only a paltry 1.75% of the votes and failed to win a single seat in parliament. With this poor performance of the smaller parties, Ghana is becoming a political duopoly, that is, a two-party state as seen in countries like the United States and, possibly, the United Kingdom. It also reinforces the view that the EC was not enforcing some of the provisions of the Political Parties Act, 2000 (parties should have branches in all the regions, being present in not less than two-thirds of the districts in each region and provide information to the EC as is reasonably required); if it had done so, the smaller parties would not have contended the elections. This view had been disputed by the EC because if it had acted to 'crack the whip' the smaller parties would have ceased to exist, thereby undermining the EC's commitment to promote a culture of political party pluralism.<sup>57</sup>

### ***Factors in the NPP victory***

What accounts for the crushing defeat of the NDC? A plethora of factors account for it.

First, it is obvious that the campaign message of the NDC did not resonate well with the majority of the electorate. Mahama campaigned on 'continuity', 'unprecedented infrastructure achievements' and 'changing lives and transforming Ghana'. These failed to excite the electorate. A campaign message on infrastructure was in itself problematic and self-defeating; in 2008, the NPP had campaigned on infrastructural development but the NDC vice-presidential candidate at the time, John Mahama himself, said that it was no message because it is the responsibility of every government to provide such development and therefore using this criterion to solicit votes was an exercise in mediocrity.<sup>58</sup>

On the other hand, the NPP communicated well with its crisp and segmented messages and slogans such as 'one district, one factory', describing a programme which targeted the youth and business community; 'one village, one dam', which targeted the rural poor; the 'USD1 million for every district', targeting community leaders; the 'Zongo Development Fund' for the Zongos or poor Muslim communities scattered around the country; and a message of reduced taxes for the business community. Akufo-Addo campaigned on 'change, job creation hinged on the industrialisation of the economy and the modernisation of agriculture' and on the 'incompetence of Mahama'. The Ghanaian electorate adopted an instrumentalist approach to politics and therefore the NPP's message of job creation, industrialisation and modernisation of agriculture was more appealing than the message of the NDC. Even the slogan of the NDC, that is, 'Forward ever, backwards

never<sup>59</sup> was not as appealing as the NPP's 'Ghana must work again' and 'Arise for Change'. In addition, the NDC did not package itself well in terms of communicating its message and ideas. Rather than concentrating on the issues, the NDC spent a significant part of its time assassinating the character of Akufo-Addo – without any evidence – leading to a perception of empty propaganda.

One of the campaign messages of the NDC was that, since the inception of the Fourth Republic, every president had been given two terms by the electorate, hence the NDC expected Mahama to enjoy a similar privilege at the polls. However, the NPP had parried the assertion and labelled Mahama as an incompetent and corrupt leader who did not deserve another term in office, and so Mahama's 'Toaso' (continue) slogan was met with the NPP's 'Twaso' (end it). In short, the NDC's message was perceived, in the words of one commentator, as 'highfalutin and flowery ... lacking visceral resonance and coherence, while the NPP's was sparse and simple'.<sup>60</sup>

Second, even though Ghana had been a lower-middle-income country since 2010, the economy had remained lackluster and faced challenges such as macroeconomic instability and microeconomic inconsistencies. These eroded business confidence, helped depreciate the currency (the Ghana Cedi), underlay the high wage cost – which consumed about 57% of tax revenue – and exacerbated youth unemployment.<sup>61</sup> In addition, although urban poverty had decreased, rural poverty had increased during Mahama's term, while Ghana's record in achieving the Millennium Development Goals was mixed; targets such as halving extreme poverty or decreasing the proportion of people without access to safe drinking water and universal primary education were attained, while slow progress had been made towards the targets of achieving full and productive employment, reducing maternal mortality, improving sanitation and reversing the loss of environmental resources.<sup>62</sup>

Third, there was still a high incidence of corruption which the NDC had struggled to deal with despite launching the National Anti-Corruption Action Plan (2015–2024). The NDC government itself was hit by some corruption scandals, including the Ford vehicle saga following revelations in 2016 of a Ford vehicle given to President Mahama in 2012 from a Burkinabe contractor. Even though the President was exonerated by the Commission on Human Rights and Administrative Justice for a conflict of interest, he was, however, found guilty of breaching government rules on the acceptance of gifts.<sup>63</sup>

As a result of the corruption scandals, Ghana's score in the corruption perception index of Transparency International dropped from 47 to 43 (out of a clean score of 100) in 2016. The country was ranked 70 out of 176 countries globally, worse than countries such as Rwanda, Namibia and Senegal. The drop in ranking showed that the fight against corruption had not been effective even though the NDC's national organiser was quick to point out that Mahama could not be 'held responsible for the development because he fought corruption during his tenure'.<sup>64</sup>

Fourth, the NDC was seen as more opulent than the other political parties through the abuse of incumbency such as the mounting of expensive advertisements in the media, the erection of huge billboards and vote-buying. The huge portrait of Mahama and some of his candidates sent a wrong message of 'obscene wealth as against the promise of an equal and fair society ... Juxtaposed against Mahama's larger-than-life posters are Nana Akufo-Addo's tiny black and white faded pictures'.<sup>65</sup>

Fifth, there was a perception of arrogance, rudeness and disrespect on the part of some ministers and officials of the NDC. An undue confidence, and the creation of an aura of impunity, invincibility and complacency, caused the party to disregard pre-election predictions of a loss for the NDC by some reputable institutions such as the Economic Intelligence Unit.<sup>66</sup> Survey after survey projected Akufo-Addo as the likely winner. However, while the NPP said that these surveys were just a morale booster and that the party was not going to be complacent, the NDC in its over-confident self-deception dismissed them as not credible and therefore not worthy of consideration or attention.

Sixth, the role of the presidential running mate of the NPP, Mahamudu Bawumia, in the campaign was key. Bawumia's incisive analysis of the economy was devastating to the NDC's campaign while the Mahama's running mate, Amissah-Arthur, even though an economist, was reactive and therefore not able to match Bawumia's articulation. In addition, Bawumia possessed great oratorical skills, and was assertive and visible in the NPP campaign while Amissah-Arthur was largely seen as dull and uninspiring. Bawumia was therefore seen as a 'mortal threat' to the NDC.<sup>67</sup>

The retention of Amissah-Arthur (as the running mate of Mahama in the 2012 elections and vice president in that administration) and Bawumia (as running mate of Akufo-Addo in 2008 and 2012 elections) by the NDC and NPP, respectively, was designed to balance the south-north dichotomy whereby a presidential candidate from the north picks a running mate from the south and vice versa. In addition, the retention was a campaign strategy to save the two parties from spending resources marketing their running mates to the electorate.

Even though it is difficult to link the outcome of the elections directly to the performance of the running mates, it is possible that the increase in the votes of the NPP in the three northern regions (Northern, from which Bawumia hails, Upper East and Upper West) and the loss of the NDC in the Central Region from which Amissah-Arthur comes, might be due to the performance of the two running mates in the campaigns.

Finally, the NDC shot itself in the foot by taking some unpopular decisions. They include the August 2016 presidential pardon granted to three people (popularly known as the Montie Three) – an Accra FM station radio host and two panellists – who were jailed for four months by the Supreme Court for criminal contempt (scandalising the Supreme Court) and released barely a month after being in jail, and the withdrawal of teacher/nursing trainee allowances, which the NPP had promised to restore if it won power.

The defeat of the party led the Functional Executive Committee of the NDC with the approval of the Council of Elders to establish a 13-member committee at the end of December 2016 to investigate the cause(s) of the party's abysmal loss to the NPP in the elections and recommend the way forward. In its 455-page report, the committee identified some of the causes for the defeat of the NDC. They include divisions in the party, especially among the top echelon, the party's internal biometric registration of members, a profligate campaign, diversion of campaign cash and materials, public perceptions of corruption and complacency and a weak 'intellectual and research base'.<sup>68</sup> Some of the recommendations include the undertaking of a peacemaking and healing tour to mend all broken fences with constituents, the independent collation of elections results from the polling stations by the party itself, reconnection of the party with its social democratic philosophy and efforts to attract to the party more critical thinkers.<sup>69</sup>

## Transition matters

The inauguration of the new president, Nana Akufo-Addo, and his vice, Mahamudu Bawumia, took place before parliament and the public on 7 January 2017, after MPs were themselves sworn in at midnight of the same day. The government of Akufo-Addo started work in earnest to fulfill some of its campaign promises. However, despite aiming for a smooth transition without acrimony, without any doubt the 2016 transition was as contentious as the previous ones, even though the level and intensity of the rancour were somewhat subdued.

The 2016 transition had some advantages over previous ones. They include the existence of a Presidential Transition Act (Act 845 of 2012), which was amended in November 2016 providing a longer transition period of about one month after the elections, compared with previous transitions in 2001 and 2009 which were afforded a week or less. The Transition Act was to deal with the causes of the rancorous transitions of 2001 and 2009, which lacked a legal and institutional framework. Some of the hiccups which made the 2016 transition contentious include the resettlement of the former president, who wanted to stay in the house he was occupying as president even though it used to be the residence of the vice-president; some high-profile appointments (such as the auditor-general and commissioner for human rights and administrative justice) that were considered late as they were made a week or two before the handing-over from the NDC to the NPP government; the forcible takeover or seizure of public assets such as the offices of some state institutions, toll-booths and public toilets by operatives suspected to be NPP supporters; loan agreements approved by parliament a week before the NPP took over the reins of government; the disappearance of over 200 vehicles from the office of the president; and the dismissal and resignation of the chief executives of some parastatals and subnational governments, among others.

The rancorous transition process amplifies two things. First, the transition act needs to be amended to tighten the loopholes in assets registration, while the office of the administrator general of the Presidential Estates Unit, who is not even a member of the transition team, should be strengthened to reduce some duplicative functions. A review of the act should also include detailing out political, financial and administrative actions including loans, procurements and recruitments, on which an outgoing government may choose to take counterproductive decisions before leaving office since some of those actions in its last days may affect the programmes of an incoming administration. Second, there are mistrust and suspicion among NDC and NPP politicians, which may be the outcome of a lack of transparency and accountability on the part of both sides, thus fuelling the excessive polarisation and tension of the body politic.

## Conclusion

This paper examined the 2016 elections in Ghana. It found that the elections, in spite of some hiccups, were adjudged to be free and fair. The legal and institutional framework worked well in sync with the democratic institutions in place.

The defeat of the NDC has shown that the views of the electorate cannot be taken for granted. The message of the NDC did not appeal to the majority of voters while they were not in any way enthused about the performance of the party in government during the eight years it was in power.

If the message of the NDC was not appealing to the electorate, then there is a need for political marketing to be taken seriously by the political parties as they are competing in an election market place where their products such as performance, manifestoes, candidates and messages must be appealing to discerning voters.

The issue of trust among key players such as between political parties and the EC and among the political parties is important. The minority parties did not trust the EC as they perceived most of its actions as being in favour of the ruling NDC. Similarly, the acrimonious transition shows that members of the political elite in Ghana do not trust each other. There seems to be no shared interests among the political elite, particularly those from the two major parties, that is, the NDC and the NPP – a trend that does not bode well for national cohesion and future transitions. Accordingly, repairing the trust gap among the political elite should be the priority of all the political parties if they have a genuine desire to reduce the excessive politicisation and polarisation and undue tension in the country, particularly in the run up to elections.

Finally, the EC – and more specifically the election management body – will need to continue to win the trust and confidence of the stakeholders, particularly the political parties, through the implementation of its communication strategy and the strategic plan. Furthermore, the EC will have to work harder to have in place a credible voters register rather than the current bloated and contentious one, which is seen as the ‘Achilles heel of election administration in Ghana’.<sup>70</sup> This is important because a credible voters register is one of the pillars supporting the legitimacy of elections.

## Notes

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36. The filing fees for presidential candidates were increased from GHC10,000 (about US\$2500) to GHC50,000 (about US\$12,500). For parliamentary candidates, the fees were increased from GHC1000 (about US\$250) to GHC10,000 (about US\$2,500).
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52. Frempong AKD, *Elections in Ghana (1951–2016)*. Accra: Digibooks, 2017.
53. *Ibid.*
54. *Ibid*; Gyampo REV, E Graham & E Yobo, 'Ghana's 2016 general election: Accounting for the monumental defeat of the National Democratic Congress', *Journal of African Elections*, 16.1, June 2017, pp. 24–45.
55. Since 1992, the NDC had always won about 98% of the votes and constituencies in the Volta Region even when they had lost the elections as it happened in 2000, 2008 and 2016. The term 'World Bank' was therefore coined to demonstrate the show of support in the form of votes that the NDC received from the Volta Region.
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## Notes on contributor

*Joseph R.A. Ayee* is Professor at the Department of Political Science, University of Ghana, Legon, and Senior Research Fellow, Institute for Democratic Governance, Accra. He is the immediate past Rector, MountCrest University College, Accra, Ghana and Deputy Vice Chancellor, University of KwaZulu–Natal. His current research interests include governance, leadership, public services and public sector reforms in Africa.