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Pandemic democracy: the nexus of covid-19, shrinking civic space for civil society organizations and the 2020 elections in Ghana

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ABSTRACT

In Ghana, civil society organizations (CSOs) play significant roles in promoting democratic development. However, the space within which they operate is increasingly becoming restricted. Coupled with this, COVID-19 inspired legislations are disrupting civil society, increasing existing threats to civic space, and creating uncertainties for Ghana's 2020 elections. Yet, our understanding of how the COVID-19 pandemic influences civic space and elections remains limited. Drawing on media reviews and 22 semi-structured interviews with CSO representatives and key informants, we find that the pandemic poses threats to civic space in terms of curtailment of freedoms of expression, movement and peaceful assembly. We also demonstrate that while the COVID-19 pandemic created uncertainties with the processes leading to the 2020 general elections, it had minimal effects on the elections due in part to the proactiveness and preparedness of the Electoral Commission in election administration. Notwithstanding, our findings show that the pandemic heightened and created opportunities for promoting polarized online campaigns characterized by hate speech and the propagation of fake news as political parties resorted to the use of social media in reaching out to voters. This undermines efforts for promoting democratic development and open civic space. Implications of the research findings are discussed.

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Introduction

Over the years, some commentators have described Ghana as an example of Africa's star democratizers and an "oasis of peace and a role model for democratic development".¹ This is due to the country's relatively strong democratic foundations (e.g. eight successive democratic elections between 1992 and 2020 without large scale violence and peaceful transfer of power between the two major political parties, namely the New Patriotic Party (NPP) and National Democratic Congress (NDC)) that have grown in recent years.² Informed by this, civil society organizations (CSOs) have played crucial roles in contributing to democratic consolidation by influencing

public policy, monitoring and ensuring the efficiency of the democratic process in addition to acting as advocates in demanding accountability from government.³

While acknowledging that the consolidation of Ghana's democracy has been aided by improvements in the political space for expression and representation over the years⁴, the space within which CSOs operate (i.e. civic space) has become narrowed in recent years.⁵ Civic space is conceptualized as the place that civil society actors (e.g. individuals, formal and informal groups) occupy within society; it encompasses the conditions that affect the ability of civil society actors to operate and their relationship with stakeholders including the state, the private sector and the general public⁵. The CIVICUS Monitor defines civic space as "the bedrock of any open and democratic society. When civic space is open, citizens and civil society organizations are able to organize, participate and communicate without hindrance. In doing so, they are able to claim their rights and influence the political and social structures around them. This can only happen when a state holds by its duty to protect its citizens and respects and facilitates their fundamental rights to associate, assemble peacefully and freely express views and opinions".⁶ The civic space landscape in the majority of West African countries is obstructed except for Cape Verde and Ghana which are rated as "opened" and "narrowed", respectively.⁷

The phenomenon of shrinking civic space in Ghana is not new. This is on the basis that while CSOs in Ghana have enjoyed strong and cordial relationship with the state since the adoption of multi-party democracy in 1992, the full enjoyment of key civic space indicators such as freedom of expression and peaceful assembly through, for example, protests and demonstrations has in some instances been restricted by security agencies on the basis of public order laws. In addition, concerns have been raised about the increasing state of attacks, intimidation and threats on media practitioners in the country in recent years which in turn has limited the civic space.⁸ Importantly, the coronavirus disease (COVID-19) inspired legislations are increasing existing threats to civic space.⁹ In particular, while the legislations and responses such as lockdowns and bans on social gatherings and demonstrations, imposed by the Government of Ghana (GOG), are proportionate and justified on the grounds of protecting lives and public health, the application of COVID-19 regulations has constrained rights to privacy and freedoms of peaceful assembly and movements, expression and association which negatively affects civic space.¹⁰ For instance, in containing and controlling the spread of COVID-19, the GOG introduced the Imposition of Restriction Act, 2020 (Act 1012), Imposition of Restrictions (COVID-19) Instrument, 2020 (E.I. 64) and the declaration of Public Health Emergency and instituted a number of policies such as partial lockdowns and bans on social gatherings.¹¹ In fact, the implementation of COVID-19 legislations such as "lockdowns offered new latitude for over-reach by authorities, in particular police and security forces" which has the potential of further shrinking the "narrowed" civic space in the country.¹²

Moreover, the COVID-19 pandemic creates uncertainties for the 2020 general elections which pose threats to the democratic and governance processes in the country.¹³ This is particularly the case as COVID-19 and its inspired measures such as social distancing protocols have changed the dynamics and nature of the electioneering campaigns where huge political rallies in the run-up to the elections have been limited.¹⁴ Moreover, concerns have been raised about how the pandemic could limit voter participation in the elections, which could potentially affect voter turnout and the credibility of the elections. The COVID-19 pandemic also creates uncertainties

to the electioneering processes through delays and postponement of election related activities. For instance, the Electoral Commission (EC) of Ghana postponed the compilation of the new voter registration from April to June 2020.¹⁵

Coupled with the pandemic, the recent years have also seen a surge in electoral violence in the Ghanaian political landscape caused in part by party activists or “party foot soldiers”.¹⁶ It is worth acknowledging that while party activists play significant roles in partisan change processes such as bringing new issues into party politics, influencing the selection of party candidates and drafting of party platforms as well as serving as opinion leaders in communities, their involvement in elections related violence and abuse of human rights has the potential of contributing to shrinking civic space.¹⁷ Therefore, the conduct of the elections amid “the polarized electoral environment and growing prospects for widespread electoral violence”¹⁸ and COVID-19 could have potential negative implications for civic space in Ghana.

While discussions of elections in Ghana have received much attention in the literature¹⁹, to date, there has been little research that looks specifically at how Ghana’s 2020 general election was impacted by the novel COVID-19 and the phenomenon of shrinking civic space. Thus, the interplay between COVID-19, civic space and elections in the context of Ghana and other sub-Saharan African countries remains poorly understood, with little or no empirical studies on the topic. Our understanding of the nature of civic space and how COVID-19 influences elections is limited. This creates a knowledge gap which has serious implications for efforts aimed at promoting democratic governance and also addressing threats to shrinking civic space. This article addresses this gap and asks the following research questions: What is the nature of civic space and the mechanisms used in shrinking civic space in Ghana? How does the COVID-19 pandemic and shrinking civic space influence Ghana’s 2020 general elections?

We answer these questions by drawing on data from qualitative semi-structured interviews with 22 CSO representatives and key informants with knowledge of Ghana’s politics and civic space landscape between June and September 2020. Aside from interviews, we also drew insights from three webinars on COVID-19, civic space and elections organized between May and September 2020. The qualitative data were further complemented with media reviews of stories relating to the COVID-19 pandemic, civic space and elections in Ghana.

This article contributes to the emerging civic space literature by providing empirical evidence from Ghana and offering insights into the nexus of the COVID-19 pandemic, civic space and elections.²⁰ While the phenomenon of shrinking civic space is often associated with authoritarian and hybrid or partial democratic regimes²¹, our empirical evidence shows that although Ghana is often considered an example of “Africa’s star democratizers” and an oasis of peace and role model for democratic development, the application of COVID-19 pandemic and its associated legislations have increased existing threats to shrinking civic space. In doing so, we highlight that while the COVID-19 legislations were not deliberately aimed at restricting CSOs and their operations, their implementation resulted in unintended consequences characterized by restrictions of civil liberties including freedoms of movement, expression, association and peaceful assembly which negatively threatened the civic space in Ghana. We also show that the pandemic created uncertainties for the 2020 elections and heightened the existing polarized political environment through online campaigns characterized by hate speech and the propagation of fake news which negatively undermines civic space and democratic development.

The remainder of the article is structured as follows. Next, we present our research methodology. This is followed by the discussion of COVID-19 inspired legislations in Ghana. The penultimate section presents and discusses our research findings focussing on the nature and mechanisms used in shrinking civic space. This is followed by an analysis of the 2020 elections in the context of COVID-19 and shrinking civic space. The last section concludes with some identified implications.

Research methodology

This study employed a qualitative research methodology informed mainly by the need for understanding respondents' perspectives on COVID-19, civic space and the 2020 elections. Data collection took place between June and September 2020 and involved the use of semi-structured interviews with 22 CSO representatives and four key informants who were academics and consultants with expertise in Ghana's elections and civic space landscape. The interviewees were purposively selected based on their knowledge, experience and involvement in policy discussions on democratic governance and CSOs' issues in Ghana. All interviews were conducted virtually using Zoom videoconferencing platform because of social distancing protocols associated with COVID-19.²²

The qualitative data collection also involved the participation and drawing of insights from three webinars on COVID-19, civic space and elections organized by the West Africa Civil Society Institute (WACSI) between May and September 2020. The webinars had participants from a range of CSOs and international organizations involved in elections and democracy related issues in Ghana including the Center for Democratic Development, Institute for Democratic Governance, Election Division of ECOWAS Commission and United Nations Electoral Assistance Division which shared their perspectives on COVID-19 and the 2020 elections.

The interviews and webinars were complemented with media reviews of stories relating to civic space, COVID-19 and elections in Ghana between May and September 2020. A census count of major news items on civic space, COVID-19 and elections on platforms such as Graphiconline.com, MyJoyonline.com, GhanaWeb.com and Modernghana.com was undertaken. This was helpful in understanding the issues discussed in the media concerning COVID-19 and the 2020 elections. It is worth mentioning that because the data collection for this study took place before the elections in December 2020, further review and analysis of media information on the elections was undertaken between January and February 2021. The aim was to cross-validate the findings from the interviews and webinars with the outcome of the 2020 elections.

Data from interviews, webinars and media reviews were integrated and triangulated for data analysis. The interviews and webinars were recorded with the informed consent of all participants which were later transcribed. The data was analyzed thematically using NVivo 12. On the other hand, media reviews were analyzed using an inductive content analysis to identify patterns and themes that emerged from the data.

Although the data was collected from multiple sources which allowed for data triangulation, it would have been useful to interview some government officials from the Electoral Commission (EC) and the Department of Social Welfare because of their roles in the elections and regulating CSOs, respectively. However, access was a challenge, hence we relied solely on the views of CSO representatives and key informants. The perspectives shared by the interviewees were validated from multiple sources of

evidence including the media review which enhanced the credibility and reliability of the findings.

Overview of covid-19 inspired legislations in Ghana

Ghana recorded her first two cases of COVID-19 on 12 March 2020. By 7 September 2020, the country had recorded 44,869 cases with 43,801 recoveries or discharges and 283 deaths.²³ Following the first reported cases, the Minister for Health declared a Public Health Emergency in accordance with section 169 of the Public Health Act, 2012 (Act 851). The Imposition of Restriction Act, 2020 (Act 1012) and the Imposition of Restrictions (COVID-19) Instrument, 2020 (E.I. 64) were subsequently adopted by the government as part of measures to control the spread of the coronavirus.²⁴ Examples include the closure of national borders from 21 March 2020, partial lockdowns in Accra, Tema, Kasoa and Greater Kumasi Metropolis for three weeks and prohibition of social gatherings of more than 25 people among many others.²⁵

It is worth mentioning that in response to the COVID-19 pandemic, many countries introduced restrictions on core civic freedoms including freedom of assembly, association and movement. While these restrictions are considered necessary in times of public health emergencies, concerns have been raised about the potential risk of government over-reach.²⁶ In Ghana, some commentators have argued that in responding to the threat of COVID-19, the GOG used the derogation clause in the 1992 Constitution to restrict civil liberties and the human rights of citizens. In particular, the constitutional provisions for state of emergency “contain a derogation clause which allows for actions or steps taken in pursuance of a declaration of state of emergency to derogate from the fundamental human rights obligations under articles 12–30 of the 1992 Constitution”.²⁷ The COVID-19 inspired legislations therefore restricted fundamental rights such as freedoms of movement, peaceful assembly and rights of privacy.²⁸ In terms of freedom of movement, the government imposed restrictive measures ranging from temporary quarantine, bans on public gatherings, demonstrations and protests, the closure of schools and places of worship. In addition, in the enforcement of COVID-19 inspired legislations, there have been reported cases of human rights violations by the Ghana Police Service (GPS) and the military through the disproportionate use of force. Although police brutality is not new in Ghana²⁹, the enforcement of COVID-19 inspired legislations heightened incidences of brutalities and human rights abuses.³⁰ Next, we examine the nature of Ghana’s civic space.

Nature of civic space in Ghana

Following the adoption of democracy and multi-party systems in 1992, Ghana is considered a “beacon of democracy” in Africa.³¹ The changes in the political landscape have created an opportunity for CSOs to better engage with the government. The political transition to democracy has also promoted a relatively “favourable climate” which has led to the growth in the number of CSOs. According to USAID, the number of registered CSOs with the Department of Social Welfare in 2019 was 9251.³² Interviewees explained that in terms of legal and regulatory frameworks, CSOs in Ghana operate freely and their operating environment has not experienced

any significant negative changes as stated by an interviewee: “I would say that the civic space in the country has been relatively fair”. Another added: “I think largely in Ghana, the civic space is a bit safe. Unlike other places where the space and the regulations are very strict, it is largely flexible here in Ghana”.³³

A consensus among interviewees was that compared to other West African countries, the civic space in Ghana is “relatively opened” as one interviewee remarked because CSOs are able to undertake their activities without fear of retribution by the government. It is therefore not surprising that the CIVICUS Monitor (i.e. a platform that provides real time updates on civic space) has over the years classified Ghana’s civic space as “narrowed” compared to “repressed” and “closed” for many West African countries.³⁴

However, a concern raised by a section of interviewees was that despite Ghana’s “relative performance and better position in terms of civic space” as stated by an interviewee, the recent years have witnessed incidences of crackdown on civic space by government, political party sympathizers and private sector actors.³⁵ For example, interviewees mentioned that organizations such as CIVICUS, Amnesty International and the Media Foundation for West Africa (MfWA) have documented several cases of civic space violations through, for example, the restriction of freedom of expression and peaceful assembly. In particular, interviewees explained that the primary targets of such crackdowns on civic space have been on dissenting voices, critics of the government, journalists, protesters and human rights defenders. More importantly, interviewees emphasized that although a cordial relationship exists between government and CSOs, there are hostilities towards CSOs that are perceived to be critics of the government. This perceived hostility, according to an interviewee, acts as a threat to civic space: “There are other times when government is a bit hostile towards CSOs especially when they feel that their interests are in danger. This negatively affects the ability of CSOs to undertake their activities without being victimized”.³⁶ In speaking about the nature of civic space in Ghana, an interviewee argued:

I won’t really say civic space is closed or opened. However, the general perception is that civic space has been shrinking because of some policies and attacks on civilians and media houses which seek to reduce the space of civil society.³⁷

Another added:

Civic space in Ghana is not opened [...] When political parties are in opposition, civil society seems to be their best ally [...], but immediately they come into power, we [civil society] become more or less like enemies.³⁸

Despite the above statements on the perceived shrinking of civic space, what appears unquestionably clear from the interviews is that the civic space in Ghana in recent years has witnessed some improvements especially in relation to right to information. Interviewees explained that in 2019, the government passed the Right to Information Bill (RTI) into law which grants citizens the right to seek and receive information from public and some private institutions. However, a section of interviewees lamented that while the RTI Act, 2019 (Act 989) has been established, challenges to accessing information which is a vital element of right to expression still exist because the road map and indicators to ensure the smooth implementation of the Act have been lacking.³⁹

Interviewees further explained that as part of efforts to open civic space in Ghana, civil liberties including religious and academic freedoms are upheld and individuals are free to express their views on politically sensitive issues and also criticize government policies without fear of retribution or surveillance. CSOs also operate freely by ensuring government accountability and transparency. For this reason, the interview data suggests mixed reactions in relation to the nature of Ghana's civic space. In what follows, we present the findings on the mechanisms for shrinking civic space in Ghana.

Mechanisms for shrinking civic space in Ghana

Interviewees explained that the perpetrators of shrinking civic space in Ghana used three main mechanisms. These are: 1) physical harassment and intimidation; 2) administrative restrictions; and 3) stigmatization and negative labelling. These are discussed below.

Physical harassment and intimidation

It is evident from our interviews that the perpetrators of shrinking civic space used physical harassment and intimidation mainly in the form of threats, abuse, injuries and killings in restricting freedom of expression. Data analysis from this study revealed several cases of abuse especially on journalists which caused some interviewees to describe the situation as “near alarming proportions”. It was explained that assaults and threats on journalists have increased in recent years as stated by an interviewee: “within the last four months, we’ve witnessed a significant rise in the incidence of abuses against journalists”.⁴⁰ For assaults on investigative journalists, a popular case mentioned by interviewees was the threatening of the investigative journalist, Anas Aremeyaw Anas by a Member of Parliament–Kennedy Agyapong for his exposé on football corruption. In addition, Ahmed Hussein-Suale, an investigative journalist linked to the exposé was also killed by two unknown assailants.⁴¹ Other cases include the investigative journalist–Manasseh Azure Awuni who received death threats following his documentary “Militia in the heart of the nation” which allegedly highlighted the existence of “vigilantes” in the ruling NPP. The use of physical harassment and intimidation in shrinking civic space has led some key stakeholders including the MfWA to raise concerns that attacks on journalists, culture of intolerance for dissenting voices and the return of “culture of silence” have been on the increase in the country recently.⁴² It is noteworthy that physical harassment and intimidation mechanism used in shrinking civic space are not necessarily committed by the government or state actors but rather individuals and “uncivil groups” who use harassment and intimidation to further their own interests which negatively affects the civic space within which CSOs operate.

Administrative restrictions and shrinking civic space

Our interviewees maintained that the use of administrative restrictions has further curtailed freedom of expression. Many interviewees made mention of the closure of radio stations and online media outlets by the GOG. They explained that in October 2019, the National Communications Authority (NCA) shut down 57 Frequency Moderation (FM) Stations on the basis that they were operating with expired authorizations. A

section of interviewees emphasized and raised concern about the discriminatory nature of the law enforcement which is targeted at pro-opposition media outlets in the country. The empirical evidence suggests that press freedom is sometimes limited through the use of administrative and regulatory framework aimed at silencing dissenting voices on politically sensitive issues. In doing so, the state agencies use their bureaucratic powers in preventing organizations from undertaking their activities. This negatively restricts freedom of expression which is a key pillar of civic space. The research finding corroborates the observation by other scholars on how governments use their administrative powers in controlling civil society in an *ad hoc* manner.⁴³

Interviewees further explained that another administrative mechanism used in shrinking civic space especially freedom of expression is censorship on media coverage on critical development issues. An analysis of media stories reveals that there have been instances of 'indirect' media censorship by government officials in recent years. For example, the former Speaker of Ghana's Parliament- Aaron Mike Oquaye in February 2020 threatened to ban some journalists from covering parliamentary proceedings because they were reported to have provided coverage of a briefing by an opposition member of parliament.⁴⁴ Moreover, there have been reported cases of censorship on the coverage of COVID-19 by some government officials. According to the MfWA, a journalist-Richard Kwadwo Nyarko was called and reprimanded by two government officials over a report he made on protests over the siting of COVID-19 isolation centres.⁴⁵

Aside from the media, administrative restrictions are also used in curtailing the right to peaceful assembly. Analysis of interviews and media stories revealed that in July 2019, three members of the Economic Fighters League protesting against the building of a new chamber in Ghana's Parliament (i.e. #DropThatChamber protest) were arrested by the police.⁴⁶ Again, in March 2020, the government also banned the gathering of LGBT+ activists in the country. Same-sex acts are also criminalized which provides opportunities for harassment and impunity of violence.⁴⁷

Interviewees explained that although Ghanaians have the right to assembly (e.g. participation in protests), they must serve a five-day notice to the GPS in line with the Public Order Act 1994 (Act 491). However, there have been many instances where the GPS has used administrative restrictions in denying the right of citizens to protest even after serving them notices. For example, in May 2020, members of the Coalition of National Zongo Political Groupings protesting against the implementation of the paperless port and electronic clearance systems were arrested for not having authorization. Additionally, in June 2020, the GPS also denied the 'Black Lives Matter' protesters the right to demonstrate by violently dispersing them. Similarly, in September 2020, the GPS denied the Alliance for Social Equity and Public Accountability the permission to demonstrate against the Agyapa Royalties on the grounds that they did not follow the directives specified in the Public Order Act 1994(Act 491).⁴⁸ Security agencies have often used adherence to the safety protocols of COVID-19 as justification for stifling activism, banning protests and the use of excessive force in dispelling protesters which in turn restricts civic space.⁴⁹

Interviewees emphasized that while preventing large gatherings in line with COVID-19 was justifiable, security agencies applied excessive force and failed to honour their duty of safeguarding the rights of citizens to peaceful protests and demonstrations as stated by an interviewee:

There has been some use of excessive force on protesters and demonstrators [...] Police brutality on protesters during COVID-19 is a cause for concern. Arresting protesters of the Black Lives Matter movement was a violation of their freedom of peaceful assembly.⁵⁰

This statement shows how the imposition of disproportionate restrictions on protestors and demonstrators negatively affects civic space. While the pandemic provided a “fertile ground” for over-reach by security forces, it must be emphasized that the excessive use of force in enforcing COVID-19 legislations was not peculiar to Ghana. Therefore, it could be argued that this was not a deliberate attempt by the security agencies but their actions consequently had negative implications for civic space in the country.

Stigmatisation and negative labelling

Interview data suggests that in using stigmatization and negative labelling mechanisms, perpetrators of shrinking civic space often tag civil society actors as “saboteurs, and anti-government CSOs” which results in declining public trust. Interviewees narrated and cited examples of how some CSOs seeking accountability and transparency on government’s transactions such as the Agyapa Royalty deal were given labels such as “all-knowing neutrals”. According to a section of interviewees, the rationale for negative labelling and stigmatization is to tarnish the reputation of CSOs by discrediting their activities. For instance, an interviewee put it this way:

Now if you speak about anything the government is doing, you’re perceived as an enemy which also affects how people relate to you.⁵¹

This suggests that negative labelling has the potential of stigmatizing government’s critics which also affects civic space and civil society in general. Similar sentiments have been expressed in the literature where state and non-state actors use negative labelling as a mechanism for shrinking civic space.⁵² Next, we present and discuss the findings on the interplay between COVID-19, the 2020 elections and civic space in Ghana.

2020 Elections in the context of covid-19 and shrinking civic space in Ghana

Perceptions on voter registration, electoral violence and civic space

A majority of interviewees expressed the view that although COVID-19 created uncertainties for the elections, they maintained that Ghana’s Electoral Commission (EC) made adequate provisions to ensure the smooth administration of the 2020 elections. A review of media stories suggests that prior to the compilation of the new voter’s registration, the EC faced challenges including perceived mistrust and credibility issues especially by the opposition NDC and a section of Ghanaians following the dismissal of the former EC chairperson and the subsequent appointment of a new chair and deputies by the President.⁵³ It is important to mention that allegations that political parties appoint the leadership of the EC to help manipulate election outcomes is not new in Ghanaian politics.⁵⁴

Despite challenges such as delays faced by the EC prior to the compilation of the new voter’s registration, a section of interviewees explained that during the

registration, the EC made adequate provisions to address public health concerns associated with COVID-19. For example, the EC developed safety regimens to be observed at the voter's registration centres such as the wearing of nose masks, washing of hands and the practising of social distancing protocols although there were some reported cases of non-adherence.⁵⁵ For example, the Coalition of Domestic Election Observers (CODEO) reported that across the 100 registration centres visited by their observers during the first week of registration, 28% of centres did not adhere to physical distancing protocols.⁵⁶

With regard to interviewees' perceptions on the voter registration exercise, they expressed mixed reactions. First, a small number of interviewees felt that the exercise was "needless" given that it rather exposed people to COVID-19, as one interviewee puts it:

When we had fewer cases of COVID-19, the EC, and the National Identification Authority had to suspend their activities. But now that we have over 20,000 cases, the registration process is ongoing [...] While some centres are practising social distancing, for others it's not the case and this exposes people to the virus.⁵⁷

Apart from the exposure to COVID-19, many interviewees questioned the voter registration process as some citizens were disenfranchised because of the closure of Ghana's borders which limited their participation. They maintained that the closure of the borders at the time of voter registration was an infringement of their political rights. Although the EC conducted a two-day mop-up registration exercise for eligible applicants who were unable to register to do so, some citizens could not register because of the border closure.⁵⁸ More significantly, plans by the EC to ensure diaspora voting in the 2020 elections could not materialize because of the uncertainties of COVID-19.⁵⁹

A consensus among interviewees was that there were pockets of electoral violence during the voter registration. For instance, CODEO observed that "there were reported instances of violence".⁶⁰ Prominent among them include the case of Hawa Koomson who fired a gun at a voter registration centre in Kasoa. As some commentators have argued, the actions of the Minister amount to "political vigilantism" because of its potential to increase insecurity and violent riots in the country. However, it is worth emphasizing that electoral violence has been a key feature of Ghana's electoral processes and this is well documented in the literature.⁶¹ Therefore, electoral violence should not be construed as peculiar to the 2020 elections.

Analysis of media stories also revealed that there were pockets of intimidation especially when security agencies were deployed on Ghana's borders with the perceived aim of preventing foreigners from registering.⁶² However, this resulted in allegations of intimidation and the prevention of particular ethnic groups from participating in the 2020 elections. Border closure and disputes over cross-border voting have been a major issue of concern in Ghanaian electoral politics since the Fourth Republic and therefore it was not peculiar to the 2020 elections. In fact, as Robert-Nicoud argues, questions about identification documents, belongings of electorates and the perceived participation of foreigners in Ghana's electoral register have become a contentious issue in Ghanaian politics.⁶³

Informed by the increasing concerns about incidences of violence and intimidation during the voter registration, the opposition NDC argued that the 2020 voter registration was "the most violent" in Ghana's Fourth Republic. This was on the basis

that two citizens were killed in the Bono region and some opposition Members of Parliaments (e.g. Collins Dauda and Bawa Braimah Muhammad) were assaulted.⁶⁴ However, it is important to clarify that in Ghanaian politics, it is common for political parties to accuse each other of using intimidation during elections. For example, in 2008, the NPP had to withdraw its campaign team from the Tain Constituency during the special election due to intimidation and security concerns. The NPP again accused the NDC of using intimidation by their activists against its party supporters in the Volta region.⁶⁵ As Bob-Milliar argues, intimidation often emboldens activists of political parties to take the law into their own hands because of the lack of trust in the state agencies to be impartial.⁶⁶

The phenomenon of electoral violence perpetuated by party activists is not new. A recent example of political violence is the shootings at the Ayawaso West Wuogon by-election in January 2019.⁶⁷ According to Asamoah, there are currently about 25 party activists' groups belonging to the NDC and the NPP.⁶⁸ For this reason, there was consensus among interviewees that the increasing trend of electoral violence was worrying for the peace, security and civic space of the country.

The implication of electoral violence is that it does not promote an open civic space where citizens can freely express themselves without fear of retribution. Given the level of election-related violence, concerns were raised by interviewees about how this could result in democratic backsliding which affects the extent of political liberation and the ability of citizens to enjoy a wider range of rights and liberties.⁶⁹ Interviewees explained that this could further negatively impact the ability of CSOs to hold government to account.

Non-adherence of covid-19 protocols and ethno-political hatred prior to the 2020 elections

Interview data suggests that COVID-19 legislations unduly delayed political activities prior to the elections. For example, the parliamentary primaries of the NPP were postponed from 25 April to 20 June 2020. However, with the easing of COVID-19 restrictions, political activities such as mini campaigns and rallies were started. For instance, although there were few instances of large political rallies, many parties including the NDC and NPP resorted to campaigning strategies such as 'health walk' and door-to-door canvassing to rally their supporters for the elections.⁷⁰ For instance, the NPP adopted the "door-to-door" or "retail campaign" as part of their strategies for the 2020 elections.⁷¹ Analysis of interview data and secondary literature revealed that while political parties and their supporters were required to strictly adhere to COVID-19 protocols, many failed to do so. While the campaigns took place in an environment characterized by increasing numbers of COVID-19 infections, adherence to the safety protocols became a challenge. For instance, although the NPP and NDC admonished their election campaign management to adhere to the COVID-19 protocols, there were reported cases of the protocols being flouted. A notable example is the violation of COVID-19 protocols during the parliamentary primaries of the NPP.⁷²

Another important issue that emerged from this study relates to the use of hostile language and vilification campaigns aimed at promoting ethnocentrism. An analysis of the interview data suggests a surge in the use of ethnocentric comments by some leaders of the NDC and the NPP.⁷³ According to MfWA, in July 2020, 66 indecent

expressions such as insulting and offensive comments, gender specific insults, bigotry and the promotion of divisiveness were made by political party officials such as the general secretaries of NDC and NPP–Johnson Asiedu Nketiah and John Boadu, respectively, on radio programmes.⁷⁴ A recent case also involves the description by an NDC Member of Parliament– Isaac Adongo who argued that the Agyapa Royalties deal was fraudulent by stating that “Agyapa Royalties fraud is the last straw: The Akyem Sakawa boys [i.e. cyberfraudsters] and grandpas must go”.⁷⁵ This statement was made about the President who was accused of forming “family and friends government” to exploit the mineral resources of the country. The statement has been allegedly endorsed by the former President Mahama in his bid to canvas for votes for the 2020 elections. However, some CSOs and other stakeholders have condemned his endorsement of the statement because of its ability to “provoke and incite reprisal attacks which can fuel political tensions”.⁷⁶

Similarly, leading members of the NPP have also been culprits in the use of vile language in the media. The Ashanti Regional Chairman of the NPP–Bernard Antwi Boasiako, for example, has also propagated hate speech against the female running mate of the NDC party– Jane Naana Opoku Agyemang.⁷⁷ It is worth mentioning that these vile language and ethnocentric sentiments in Ghanaian political landscape are not new as political parties have often used them as a political strategy to wield voter support during elections.⁷⁸ For example, in the 2012 elections, the presidential candidate of the NPP, Akuffo Addo was also accused of inciting violence for his infamous “all-die-be-die” comment where he urged their supporters to do anything possible for them to capture power in the elections.⁷⁹ These sentiments have the potential of undermining Ghana’s democracy by inciting violence which could in turn affect civic space.

COVID-19, digital media campaign and civic space

There was consensus among interviewees that COVID-19 had provided an opportunity for political parties to use digital media platforms such as social media (e.g. Facebook, Twitter, WhatsApp, Instagram), radio and TV stations for mass political campaign messaging in the 2020 elections. Thus, political parties relied on the media to put out their message and also energize their supporters which increases the extent of political engagements. However, a concern raised by a section of interviewees was that in Ghana, many media outlets were owned by people with political affiliations, therefore their connections with the political elites affect the objectivity of their analysis explained by an interviewee:

What COVID-19 has brought up is that campaigning is going to happen via media platforms and political parties are going to rely on them so much for their campaigns. The media therefore has a critical role to play but a lot of them is owned by people with political and partisan interests. Therefore, the extent to which the media will be able to interrogate campaign promises and ideas may be quite challenging.⁸⁰

The above statement suggests that the objectivity of the media on the elections may be undermined in part because of their ownership. In fact, the content of media houses influences their objectivity. According to the European Union Election Observation Mission (EU EOM), although the media reported freely on the elections, some media stations such as the Ghana Broadcasting Television gave extensive coverage to

the governing NPP and their presidential candidate. In addition, there was a wide coverage of government's response to the COVID-19 such as the provision of relief items (e.g. subsidized electricity, provision of free water etc.) which gave the incumbent government an advantage. Other private media houses such as the UTV, Chronicle and the Daily Guide had biased coverage for the NPP while Adom FM and Joy FM favoured the opposition NDC.⁸¹ The challenge with media ownership in Ghana in relation to civic space and elections is that it gives undue advantage to some political parties and therefore raises questions about the fairness of the electoral processes. Again, it influences the extent of freedom of expression which is a key tenet of civic space. A typical case is the recent order issued by the Kwahu Traditional Council to shut down two pro-NDC radio stations, Okwahu FM and Afram FM.⁸² The empirical finding in this study is consistent with the existing literature that highlights that in Ghana, "every third media outlet has an owner with political affiliations".⁸³

Directly related to this, interviewees explained that COVID-19 protocols compelled many to resort to engaging their constituents on social media platforms including WhatsApp, Twitter, Facebook, YouTube and Instagram to promote their political messages.⁸⁴ Political parties deployed social media teams comprising party youth activists to post contents in promoting their candidates. For instance, the EU EOM reported that closed WhatsApp chat groups were the dominant social media platform used by political parties to campaign.⁸⁵ Interviewees explained that digital technology platforms created opportunities for the youth to be active in politics by getting involved in campaigns. In doing so, the voices of the technologically-savvy youth who were once marginalized in politics are now being heard as they become engaged in developing campaign and communication strategies for political parties.⁸⁶ This finding resonates with earlier studies which argue that social media enhances democratic participation especially among the youth.⁸⁷

However, according to interviewees, the increasing use of social media platforms such as Facebook for political campaigns during COVID-19 had the potential of increasing the spread of fake news and propaganda messages. This was explained by an interviewee as follows:

With the increasing use of social media by political parties, there is a high tendency for some party supporters to spread misleading information [...] The potential effects of such fake stories are that it corrupts the democratic space and also creates tension among the general publics.⁸⁸

Misinformation (e.g. dissemination of rumours, lies and conjectures) can have negative implications of undermining democratic processes because of its ability to confuse voters and interfere in the formation of objective electoral opinions.⁸⁹

Conclusion

This article examines the interplay between the COVID-19 pandemic, shrinking civic space and the 2020 elections in Ghana. The study highlights that CSOs have played active roles in consolidating Ghana's democratic dispensation. However, in recent years, the operating environment of CSOs is increasingly becoming narrowed. The COVID-19 and its inspired legislations have further reinforced existing threats to civic space in Ghana.

This notwithstanding, Ghana, relative to other West African countries has developed its democratic foundations over the past two or three decades and has successfully conducted elections and seen three peaceful transitions of power. However, the country is faced with the problem of declining democratic commitments especially by the political elites and rising distrust of citizens in the electoral processes which has led to increasing levels of electoral violence that negatively affects the peace and stability of the country.

This article has further demonstrated that the dire situation of electoral violence and shrinking civic space has been further heightened by COVID-19 which presents unique challenges for the country in its quest to promote democratic development. As the study has highlighted, while it was anticipated that COVID-19 would pose significant threats to the conduct of the 2020 elections because of its potential to cause uncertainties, disruptions and limit campaign freedoms, the outcome of the elections suggests that, generally, the pandemic did not significantly affect the elections. For instance, as the empirical evidence from this study highlights, prior to the elections, many interviewees expressed the view that the fear of infections associated with COVID-19 had the potential to discourage voter participation which is a key determinant of election credibility and legitimacy. However, the results of the elections indicate a high voter turnout rate of 79% as reported by the EC which represents a 11% increase of the turnout rate for the 2016 elections. While voter participation was not significantly affected by COVID-19, it nonetheless influenced and shaped the dynamics of the electoral processes such as campaigns. What emerges strongly from this study is that the pandemic and its related restrictions have compelled political parties to resort to campaigning on digital platforms but there are challenges relating to the use of, for example, social media in propagating fake news, hate speech and inciting violence which negatively has the potential of affecting the freedom of expression pillar of civic space in Ghana.

Our findings highlight two important implications for policy and practice with regard to promoting democratic processes and open civic space in the context of COVID-19. First, the findings call into question the need for inclusive political participation. In doing so, electoral stakeholders such as the EC need to promote an inclusive stakeholder consultation with citizens, CSOs, traditional authorities, religious institutions and the private sector. The involvement of these stakeholders has significant benefits for the successful conduct of elections as it has the potential of promoting efficiency and effectiveness in electoral administration.

Secondly, there is the need to promote accountability and transparency mechanisms for electoral practices. This also requires active participation of citizens in election related issues. Against this backdrop, CSOs have a vital role to play by acting as watchdogs in demanding accountability and transparency from electoral stakeholders especially the EC. The ability of CSOs to play their watchdog roles in policing civic space and elections also depends on the extent of their collaboration with other stakeholders such as media houses. There is therefore the need for CSOs to collaborate and merge resources in helping to promote civic education on elections and shrinking civic space. The media also need to intensify their watchdog role in holding political parties to account in ensuring that threats of violence during elections are minimized as well as combating hate speech, propagation of falsehood and the promotion of violence on media platforms. However, for CSOs to play meaningful roles in addressing threats to civic space, it requires the provision of financial and

non-financial resources to support their activities as the absence of resources hinders CSOs' ability to play their advocacy and educational roles in elections and promoting an open civic space effectively.

Notes

1. Bjarnesen, "Foot soldiers", 296-307.
2. Abdulai and Sackeyfio, "2020 elections", 1-29.
3. Botchway, "Democracy in Ghana", 1-17.
4. Arthur, "Democratic consolidation", 203-226;
5. OHCHR, "Guide for civil society".
6. CIVICUS, "Tracking civic space".
7. CIVICUS, "Civic space".
8. Nyarko, "Intimidation, and Violence", 1-12; Nyarko, "Right to assembly and peaceful protest", 247-275.
9. CIVICUS, "Tracking civic space".
10. Anderson et al., "Navigating Civic Space".
11. GOG, "Restrictions Act, 2020".
12. Agyemang-Budu, "Constitutionalism and Emergencies"
13. IDEA, "Overview of COVID-19".
14. Abdulai and Sackeyfio, "2020 elections", 1-29.
15. Graphic Online. "Registration exercise".
16. Bjarnesen, "Foot soldiers".
17. Bob-Milliar, "Party activism".
18. Abdulai and Sackeyfio, "2020 elections".
19. Bjarnesen, "Foot soldiers".
20. The roles and engagements of CSOs in the democratisation processes is outside the scope of this paper.
21. van der Borgh and Terwindt, "NGOs under pressure".
22. Teti et al., "Methods in COVID-19", 1-5.
23. Ministry of Health, "COVID-19 Situation".
24. Under the Imposition of Restriction Act, 2020, the President may impose restriction under the following circumstances: i) the restriction is required in the interest of defence, public safety, public health or the running of essential services; ii) the restriction is reasonably required on the movement or residence within Ghana of any person or persons generally, or any class of persons; iii) the restriction is required to restrict freedom of entry into Ghana or movement in Ghana, of a person who is not a citizen of Ghana; and iv) the restriction is reasonably required for the purpose of safeguarding the people of Ghana against the teaching or propagation of a doctrine which exhibits or encourage disrespect for the nationhood of Ghana, the national symbols and emblems or incites hatred against other members of the community.
25. Haider et al., "Lockdown in Ghana", 1-10.
26. Bethke et al., "COVID-19 and civic space"364-374.
27. Addadzi-Koom, "Quasi-state of emergency".
28. Bethke et al., "COVID-19 and civic space"364-374.
29. Boateng et al., "Police misconduct", 121-135.
30. MyJoy Online, "Shooting of man by soldier".
31. Chambas, "Beacon of democracy".
32. USAID, "CSO Sustainability".
33. Interview, July 2, 2020.
34. According to Civicus, a 'narrowed' civic space occurs when "the state allows individuals and civil society organisations to exercise their rights to freedom of association, peaceful assembly and expression, violations of these rights also take place. People can form associations to pursue a wide range of interests, but full enjoyment of this right is impeded by occasional harassment, arrest or assault of people deemed critical of those in power. Protests are conducted peacefully, although authorities sometimes deny permission, citing security concerns, and excessive force[...] The media is free to disseminate a wide range of information, although

the state undermines complete press freedom either through strict regulation or by exerting political pressure on media owners”.

35. Interview, August 25, 2020.
36. Interview, July 8, 2020.
37. Interview, July 27, 2020.
38. Interview, September 10, 2020.
39. Interview, August 12, 2020.
40. Interview, July 15, 2020.
41. Committee to Protect Journalists, “Ahmed shot dead”.
42. MfWA, “Press freedom”.
43. van der Borgh and Terwindt, “NGOs under pressure”.
44. Ghanaian Times, “Media accreditation”.
45. MfWA, “Media and COVID-19”.
46. GBC, “Three protesters arrested”.
47. Asiedu, “LGBT+ conference”.
48. Graphic Online, “Court order against Agyapa demo”.
49. Greenpeace, “Locking down critical voices”, 1-40.
50. Interview, August, 10 2020.
51. Interview, September 4, 2020.
52. van der Borgh and Terwindt, “NGOs under pressure”.
53. Graphic Online, “Mistrust and December polls”.
54. Gyampo, “Electoral reforms”, 95-109.
55. Graphic Online, “COVID-19 protocols”.
56. CODEO, “Voter registration”.
57. Interview, August 14, 2020.
58. Interview, September 7, 2020.
59. Agbele and Saibu, “Elections under COVID-19”.
60. CODEO, “Voter registration”.
61. Bob-Milliar, “Electoral violence”.
62. Graphic Online’ “Soldiers and borders”.
63. Robert-Nicoud, “Borderlands”, 672-691.
64. MyJoy Online, “Voters’ registration”.
65. Whitfield, “Better Ghana”, 621-641
66. Bob-Milliar, “Political participation in Ghana”. 37-62.
67. Bjarnesen, Foot soldiers”
68. Asamoah, “Political vigilantism”, 457- 471.
69. Interview, July, 20 2020.
70. MyJoy Online, “Health walk”.
71. Modern Ghana, “Door-to-door campaign”.
72. Graphic Online, “GMA calls for arrest”.
73. Interview, July 14, 2020.
74. MfWA, “Indecent language”.
75. GhanaWeb, “Akyem Sakawa Boys”.
76. MfWA, “Ethnocentric comments”.
77. MfWA, “Ethnocentric comments”.
78. Sefa-Nyarko, “Ethnicity in politics”, 1-17.
79. EIU, “All Die Be Die”
80. Interview, July 19, 2020.
81. EUEOM, “Presidential elections”.
82. MyJoy Online, “Radio stations”.
83. MfWA, “Media ownership”.
84. Interview, July 26, 2020.
85. EUEOM, “Elections”.
86. Interview, September 3, 2020.
87. Dzisah, “Social media and elections”.
88. Interview, August 5, 2020.
89. EUEOM, “Elections”.

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