Editor’s Note

Election 2000 represents a crucial aspect of Ghana’s prolonged transition to multi-party democratic rule which began in 1992 and ushered in the Fourth Republic on January 3, 1993. It marks the final phase of that transition and the beginning of the post-Rawlings era in Ghanaian politics. Not surprisingly, Election 2000 has proved to be one of the most competitive elections in the post-independence period. That is a reflection of the high stakes attached to the election. But it is also a reflection of the relative evenness of the electoral playing field in the current election period and the growing maturity of the democratic experiment of the Fourth Republic.

This special edition of Democracy Watch, presents a review of some of the key developments in the pre-election period, focusing on election administration and the electoral and the political campaign processes. As usual it also highlights areas of democratic progress, stagnation and retrogression.

One of the major hurdles confronting the EC this year is the task of compiling a credible voters register. By all accounts, the Commission has found this difficult. Primarily, the problem has been the substantial bloating of the register. According to the provisional figures from the 2000 population census, Ghana’s population is around 18.4 million people. If these figures are to be believed, then the number of eligible voters should be roughly 9.2 million, representing fifty per cent of the total population that is 18 years and above and therefore eligible to vote. Yet according to the EC’s preliminary figures in September, there were 10.7 million names on the voters register. Using the recent census as a benchmark, the 10.7 million voters on the register represent 58.14% of Ghana’s total population, which is well above the 50% threshold. This represents a discrepancy of some 1.5 million registered voters, or 16% more voters than the total expected from such a benchmark.

The percentages of over-registration assume the accuracy of the recent census, but that may be a tall assumption. It seems plausible that at least some of the 1.5 million extra names on the register could be accounted for by errors in the census, particularly undercounting. However, it is also clear that the voter register is too large. In some districts, notably in Asutifi (95.88%) and Builsa (81.1%) or nearly two-thirds of the inhabitants were registered, as in Kpando (70.9%).

A number of factors may account for this problem. Foremost among them is the factor of double registration. Some of this, no doubt, would have occurred as a result of deliberate fraud on the part of some individuals or...
political parties; but others could also have occurred as a result of some individuals mistakenly registering in two different districts, because they relocated to a new district but maintained registration in both current and former districts. Another possible source of the huge discrepancy is the registration of underaged voters out of ignorance or a desire to cheat. In addition, a significant number of the names of the deceased remain on the voters’ register. But whatever the real cause of the problem, the bloated register presents a major challenge to Election 2000 and the credibility of its outcome.

Ghana’s electoral process and election administration under the Fourth Republic have continued to see improvements aimed at enhancing transparency and credibility. But fears of vote rigging have largely persisted, and thus inspired a number of anti-rigging proposals and measures to ensure electoral integrity. Among the measures are the following:

**Photo Identification Cards (IDs)**: Prominent among the measures adopted for enhancing the integrity of the voter register and controlling voter fraud is the issuing of photo ID cards to replace the thumbprint ones. Thus, a process of converting the thumbprint identification cards used in the last election to the photo IDs to be used in December has been underway for several months.

The voter ID conversion process provides a good opportunity to clean up the voters register and to deter impersonation. However, the potential gain from that exercise is significantly reduced if voting is not to be confined to holders of photo IDs. Not restricting voting to only holders of photo ID cards leaves fake thumbprint voter IDs usable by their fraudulent holders. It reduces the possibility of deterring impersonation.

But the restriction could have serious implications. Despite efforts to make the register cleaning exercise comprehensive, it is unlikely that all registered voters will be able to take advantage of the exercise given the short period of time devoted to it and other problems that have marred the implementation of the program.

Moreover, it may be unduly punitive to prevent those individuals who are unable to obtain photo IDs from exercising their franchise, especially since the implementation of the conversion program has been less than competent.

However, to avoid confusion and possible violence at polling stations, it will be extremely helpful for the EC to clarify whether holders of either card will be eligible to vote. Unfortunately, the EC has been terribly evasive in resolving this issue. Could the Commission’s nervousness have been influenced by President Jerry Rawlings’ pronouncement on the photo IDs at a rally in Northern Ghana? The
The mundane matter of setting a date for Election 2000 generated an unusual degree of controversy. The original December 8 date was apparently based on the EC’s interpretation (or misinterpretation) of the 1992 Constitution that the election should be held at least “30 days” before Parliament stands dissolved and “not later than one month” before the president’s tenure of office ends. The constitutional basis of this date was challenged by ruling party officials on technical grounds including the correct interpretation of the stipulation of “one month.” Another problem with the original date was that it fell on a Friday in the holy month of Ramadan. Not surprisingly, some sections of the Muslim community complained about this. Before long, opposition to the December 8 date had been raised to fever pitch levels by spokespersons of the ruling party. Activists of the Progressive Alliance (NDC, EGLE and DPP) appeared to have sensed a good opportunity to court Muslim votes. Some ruling party elements also canvassed for a change in the date on the basis of bizarre numerological and superstitious calculations that saw that date as unusually auspicious for an NPP/Kuffour victory: December 8 coincided with the birth date of the NPP presidential candidate. At the same time, those who wanted the December 8 date retained were branded as “intolerant” of other religions, ethnic and religious bigots, and enemies of national unity or worse.

The OAU Method” of voting?: Persistent fear of vote rigging and lack of absolute confidence in the balloting process have led to calls by some political parties for the adoption of a system of limited voting hours. Dubbed erroneously as the “OAU method,” the system requires voters to first assemble to check on their names in the voter register, wait around until a specified time and then line up to vote. No one arriving after voting had commenced at the specified time would be eligible to vote. This scheme was used in the 1998/99 elections in Nigeria and it helped to prevent double or multiple voting.

The system has an important advantage for electoral integrity. A voter can only enter the queue at one polling station at a specified time. Because actual balloting commences at the same time, it could prove difficult if not impossible for anyone to visit two polling stations. Properly administered, such a system should help control multiple voting.

However, the proposal also has a downside. Keeping voters at a polling station for hours could create inconveniences both for voters and election authorities. For instance, should bathroom facilities and meals be provided for those who may need them? And what about the possibility of nerves being frayed as voters stand in queues waiting for their turn? The timing of the proposal is also problematic. Changing voting time requires changes in Ghana’s electoral laws. Coming late as the proposal did, it was impossible to effect the needed legal changes. Definitely, the proposal was in response to the concern for protecting the integrity of the balloting process. Perhaps, it would have received proper hearing if it had been tabled earlier for a measured debate at the forum of the Inter-Party Advisory Committee (IPAC).
rejected the explanation that the change was made to satisfy the legal requirements for the conduct of elections and to allay religious concerns. Fortunately for the electoral process, tempers cooled down, the parties agreed not to contest the constitutionality of the new date and Parliament ratified the new December 7 date.

Opposition reaction to a mere change in election date may be seen as evidence of paranoia. After all the law gives the EC power to act independently in setting the election date. The earlier date may have been selected inadvertently, oblivious of the legal and cultural implications.

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However, the entire episode betrays a failure on the part of the EC to adequately source appropriate legal and political advice and to consult fully with the parties. The EC’s initial petulance in proclaiming that the date was irrevocable before it had fully consulted legal opinion on the matter was an aggravating factor. The episode reveals the continuing mistrust between the EC and some of the opposition parties, especially the New Patriotic Party. It underlines the need for continued dialogue and full consultation over all aspects of the electoral process.

A number of efforts are underway to observe the December 7 elections. They include initiatives by the Forum for Religious Bodies, which plans to deploy over 5000 trained observers, and Ghana Alert. It is also expected that international election observer groups will be on hand to supplement the efforts of Ghanaian observers.

The largest domestic observer group is the Coalition of Domestic Election Observers (CODEO), a body initiated and coordinated by CDD-Ghana in conjunction with the Friedrich Naumann Foundation and funded by the European Union. CODEO comprises over 20 prominent civic bodies such as the Ghana National Union of Teachers, National Union of Ghana Students, Nurses and Midwives Association, Civil Servants Association, the Ghana Bar Association, Ghana Legal Literacy Resources Foundation and Trades Union Congress. It also includes some religious organizations.

Through recruitment and structured training at the national, regional and district levels, 6,000 observers drawn from the member organizations will be deployed at polling stations in 50 districts. The reports from these observers will be collated, analyzed and presented within 24 hours of the close of polls as part of CODEO’s preliminary appraisal of the elections.

The active involvement of independent domestic groups in the monitoring of Election 2000 confirms the growing participation of civil society in the democratic process and the development of local ownership. The process has seen the Ghana Broadcasting Corporation (GBC), the largest and most powerful media organization in the country, publishing an elaborate set of guidelines agreed to by the political parties and aimed at allocating equal media access to all presidential candidates. Rotating in an order determined by lot, each party has been receiving five minutes of free air-time on the state-owned Ghana Television (GTV) from 7:55 to 8:00 p.m., 10 minutes on GBC Radio 1 each morning, and five minutes each morning on GBC Radio 2. For its part, The Daily Graphic has, for the first time ever, published its guidelines for equal and objective reportage of the political parties. This is without doubt a positive and
welcome development for professional journalism and democracy in general. It also helps significantly in leveling the playing field for both the opposition and ruling parties. Moreover, it is helping to get the electorate better informed about candidates and issues in Election 2000.

On September 27, Ghana took another step towards consolidating its democracy by holding a forum for presidential candidates. Organized by the Freedom Forum, an international media foundation, in conjunction with the Ghana Journalists Association (GJA) and the Ghana Broadcasting Corporation, the event was the first presidential “debate” in Ghana’s history. The session was carried live on radio and television and beamed into millions of homes across the globe by CNN and the South African Broadcasting Corporation. The Freedom Forum “presidential debate” was also significant for being the first sort of “presidential debate” in Africa outside of South Africa.

Unfortunately, the NDC’s flagbearer, Vice President John Atta Mills, did not participate – with government and ruling party officials citing “busy official schedule” and “undue external influence” in Ghana’s internal affairs by international media moguls among other lame and sometimes contradictory excuses. From the view point of the media, Mills’ absence was anti-climatic and may have nullified his initial gains from earlier well-received encounters with the press on the platforms of PRINPAG (the association of private newspapers in Ghana) and the GJA. Those encounters signaled a distinct departure from Rawlings’ peculiar media-phobia, and appeared to pave the way for a healthy flow of information from the executive should Mills triumph in the election. Indeed the boycott of the Freedom Forum debate by Professor Mills and the NDC compels a recall of similar developments in the 1992 and 1996 elections when plans by GBC to organize similar forums were scuttled by partisan bickering over program format and proposed panelists.

The absence of NDC flagbearer Mills may have detracted from the forum’s effort to present all of the candidates on equal terms, but the event succeeded in providing a common platform for the articulation of alternative perspectives on critical issues facing the nation. For the wide audience witnessing the event, this was a rare opportunity to size up the candidates on the parameters of substance, personality and mental reflexes – a far cry from the managed elocutions on party platforms. Even though it was not quite a debate, the forum succeeded in further consolidating the democratic culture of uncensored public dialogue on critical issues and underscored an overriding public predilection for substance over empty rhetoric.

Altogether, the Forum underlined the growing focus on substantive issues and policies in campaign for Election 2000. It also served to underscore the considerable power of the electronic media in shaping political fortunes. It is no wonder that days after the presidential forum, it was the turn of Accra radio stations to create a similar platform for parliamentary candidates, signaling the emergence of a new media-friendly political culture. If local FM radio stations were to promote similar debates for the parliamentary candidates in the various regions and districts it will help to deepen civic participation in the process of multi-party competition in Ghana.

Several weeks after the Freedom Forum, on October 10, Vice President Mills availed himself to the media, convening a ninety-minute press conference in which he made a statement and fielded questions from assorted journalists. By most accounts, Mills gave a “command” performance. He seemed to have succeeded in distinguishing himself from his boss, President Rawlings. Vice President Mills certainly held his own, even when pressed by members of the media on certain touchy questions, such as his absence from the Freedom Forum, corruption and the 1982 kidnap and murder of the judges and a retired army officer.

To be sure, the press conference provided Mills with an entirely different platform to air his views than the one enjoyed by the opposition candidates at the Freedom Forum. He had the floor to himself for the entire ninety minutes, while the other six candidates had to share the Freedom Forum spotlight for the same amount of time. Professor Mills could be even accused of exploiting his position as Vice-President and flagbearer of the ruling party to “commandeer” a forum. He seems to have taken advantage of his standing to arrange for this opportunity,

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and structure it on his own terms; and he was allowed to elaborate on his views and plans far more extensively than any of the Freedom Forum participants.

Indeed, it is unfortunate that presidential candidate Mills chose to “introduce himself” to the nation in this manner, rather than by participating in the Freedom Forum alongside all the other presidential candidates. However, the “solo” press conference marked a healthy departure from Rawlings’ phobia for face-to-face engagement with the local press. It betokens a better prospect for media-government relations under a future Mills presidency.

Two small and simple gestures by the ruling NDC and the opposition NPP in recent months gave an indication of a potential for cordiality between the ruling party and its principal opposition. Shortly after Alhaji Mahama Aliu was named as the running mate of the NPP presidential candidate (J A Kufour), the NDC sent a congratulatory note to the NPP. In a similar show of political decorum, the NPP relayed a “get-well” message to President Rawlings following his successful operation in Switzerland, and wished him a speedy recovery.

Similar civility was on display in early September when all the registered parties participated in a two round “lottery” to determine the order in which the parties would appear on the ballot paper for Election 2000. Representatives of the parties convened at the EC headquarters for the lottery exercise in which the first round decided the order in which the second drawing would be conducted; and the second round decided the actual order of the parties on the ballot. The lottery determined that the GCPP appears on the top of the ballot, followed by the NDC. The remaining parties are to appear in the following order: CPP, PNC, UGM, NRP, NPP.

It is true that two factions claiming to represent the DPP (one of the minor parties formally aligned with the ruling party) engaged in an unseemly scuffle over which one of them should participate in the lottery. Indeed, the order in which a party appears on the ballot paper may be a relatively trivial matter. However, it is significant that a transparent and democratic procedure was used to determine the sequencing of parties on the ballot paper. It helped to affirm the impartiality of the EC. These events confirm the possibility of inter party civility even in the heat of electoral competition and bode well for democratic consolidation in Ghana.

Arguably, the most fascinating question posed at the Freedom Forum debate concerned how a “future President” J.A. Kufuor, would treat ex-President J.J. Rawlings. “We will look at him as the elder statesman to whom we may call from time to time to come and grace state functions,” responded Kufuor. “I will expect the President to retire into what I call lawfulness and so long as the President sticks to the laws of the land, he will be accorded all courtesies that a former Head of State deserves.”

The prolonged applause that greeted the response might have come from the pro-NPP crowd in the public gallery. But it was also an indication of the popular endorsement of the position articulated by Kufuor, it confirmed the overwhelming desire and readiness of Ghanaians to put the past behind them and forge ahead as a reconciled and united people. It also indicated a national yearning to put behind the pathetic past of hounding into exile or consignment to neglect and political oblivion and execution of former Heads of State. The applause garnered by a public promise by a presidential aspirant to do honor to an ex-President also confirmed the growing national sentiment for giving due credit and honor to past leaders.

At the close of nominations for Election 2000, only 93 women (compared to 991 men) had filed their candidacies to contest in this year’s parliamentary elections. On the face of it, this year’s figure is higher than 1996 when only 57 women had been fielded out of 724 candidates, and 19 got elected to sit in Parliament. However, there is reason to be disappointed over the numbers for this year. Firstly, nearly all the political parties and their leaders had given assurances that they would increase the number of women candidates and implicitly the number of women in Parliament. Secondly, all the seven presidential candidates in this year’s elections are males, and none managed to choose a female running mate.
To date, there has never been a woman President, Vice-President, Speaker of Parliament, Deputy Speaker of Parliament or Chief Justice. In other political positions, women’s representation is sadly lacking – 4 against 21 on the Council of State, two against 18 cabinet ministers, two against 30 deputy ministers and two against eight regional ministers. Naturally women’s advocacy groups such as FIDA have noted publicly their disappointment with the status quo, particularly the failure of even those parties who publicly endorse affirmative action policies and to use affirmative action strategies to support more women in the party primaries. Indeed, the representation of women in Parliament never exceeded 10 per cent since independence; and representation of women in the district assemblies rose from a mere four per cent to seven per cent only recently (in 1998).

Thus, spirited efforts by FIDA (with DANIDA support), Dr. Esther Ocloo (pioneer woman entrepreneur and gender advocate) and others to promote the candidacy of women in this year’s elections have not been enough to overcome the existing barriers to women’s participation in competitive politics in Ghana. Entrenched socio-cultural, economic and political barriers appear to have prevailed over the promises and politically correct noises of parties and their leadership.

The National Commission on Civic Education (NCCE), the constitutional body responsible for democratic civic and voter education, has come up with modest proposals for fostering a free, fair and peaceful election. The Commission has established District Consultative Committees on Civic Education around the country with the responsibility to foster cooperation and peace among the parties. In spite of the doubts expressed by some of the political parties over the necessity and impartiality of these district-level committees, they represent a useful response to the threats posed to peaceful elections.

Another NCCE proposal for electoral peace involved the hosting of a soiree that would bring together the political elites, including the seven candidates contesting the presidency. It is envisaged that the “cocktail party” will provide a congenial forum for the election candidates/presidential aspirants to socialize. And while the event will be closed to the public, it will be broadcast across the nation on GTV and GBC radio. That is certainly an interesting and well-intentioned idea, but it is against the background of Ghana’s pressing political need for effective civic and voter education as well as resource constraints facing the Commission, the proposal appears misdirected.

In the light of the daunting challenge of effective civic and voter education facing the nation in the run up to the election, two fundamental questions are raised: How well has the NCCE prioritized its programs for peaceful, free and fair elections? And is the NCCE being adequately funded to undertake its principal tasks and programs in this all-important year?  

While the bloated register is an immediate and real concern for many of the parties contesting the December elections, a potentially serious, structural problem regarding parliamentary elections has gone largely unnoticed. A close inspection of Ghana’s 200 parliamentary seats – which were apportioned prior to the 1992 election based upon population figures from the 1984 census – reveals that some sitting members of parliament are representing upwards of nine times as many people as other MPs. According to the September provisional figures released by the EC, some constituencies have less than 14,000 registered voters, whereas others have more than 100,000 people registered to vote. Technically, this discrepancy may not be unconstitutional (the 1992 Constitution stipulates that the “population quota” should be, as nearly as possible, equal across constituencies), but it clearly violates the spirit of the constitution and democratic governance.

Admittedly, assessing the population in each constituency is no easy task, but the decision not to use the new census data to reapportion the 200 constituencies before the 2000 election is unfortunate. It means that, regardless of who wins the majority of legislative seats in December, some constituencies and their electorates will be vastly over-represented in Parliament while others will be grossly under-represented.

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Ghanaian civil society has become increasingly vocal in its demand for an end to the mounting political tensions and escalating violence prior to the December 7 elections. Religious leaders, youth groups, musicians and “concerned citizens” have been exhorting the political leaders and their supporters to eschew acts of violence and intimidation in the election campaign. But, perhaps the most important intervention from civil society is a recent one by traditional rulers.

In mid-November, the traditional rulers adopted a 12-point resolution at a crisis meeting, urging a violence free election. The meeting that brought together representatives of the various Regional House of Chiefs and political party leaders, was the rapid response of the traditional rulers to the spate of inter-party violence that had rocked the country in the run up to the December elections.

It is noteworthy that days before the “Osu Declaration” by the chiefs, heavy casualties had been reported in a brutal confrontation between the two main rival parties the NPP and NDC in Alajo, an Accra suburb, while a police detachment was reported to have looked on helplessly. Similar clashes had been reported in Berekum leading to the military occupation of a radio station suspected to have instigated the fracas. A few weeks before, an argument between two activists from rival parties in the Upper East region led to the stabbing to death of one. These must be added to earlier reports of violence across the country.

It is significant that the traditional rulers’ call was directed at the police, the military, leadership of political parties, and the Electoral Commission. They minced no words in urging the police to be neutral and fair, and admonished the military to continue to perform their role as guarantors of the nation’s territorial integrity, and to be seen as a neutral and independent institution above political twist and turns. This candid admonition was timely and could be a veiled lamentation of the partisan swipe by the Minister of Interior (under whose portfolio the Police operates), whose knee jerk reaction to political riots in the Brong Ahafo region, was to accuse the opposition. In the background, however, were several reported incidents of violence across the country.

However, the admirable candor of the chiefs in their “Osu Declaration” and timely intervention to promote peaceful elections also appear to run counter to accusations of chronic sluggishness on their part, especially where executive sources were blamable for potential national crises. Indeed, the manifest non-adherence by some chiefs to Article 276 of the Constitution barring them from involvement in partisan politics undermines the credibility of their declaration. For far too many traditional rulers had unconstitutionally declared partisan interest in politics - a stance which is in itself divisive and a potential threat to peace.

Media freedom in particular and democracy in general suffered a blow on October 2 when staff of The Crusading Guide discovered that six polythene bags full of human excrement had been dumped at the office of the newspaper. This brings to three the number of such incidents since 1993 when the country opted for multi-party democracy. In 1993 unknown assailants smeared human faeces at the offices of the leading privately-owned newspaper, the Ghanaian Chronicle and in 1996 a similar base act was committed at the offices of the Free Press, also privately owned.

The Crusading Guide is certainly one of the country’s most vocal private newspapers, and Kweku Baako, its editor-in-chief is an outspoken government critic. He is also a staple on the JOY-FM popular media review program, “News File,” and over the years his newspaper has pulled no punches in exposing corrupt businesses, individuals, public officials and politicians alike.

It is obvious that the attack on The Crusading Guide was aimed at curtailing free speech. Mr. Baako is reported to have received an anonymous telephone call conveying the warning that if he doesn’t shut up there will be more “shit at your offices.” Moreover, no one has claimed responsibility for the action and no culprits have been apprehended yet. And it is most unlikely that the culprit(s) will be vigorously pursued and punished by the authorities.

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However, consolation can be drawn from the fact that many Ghanaians appeared to be genuinely repulsed by the act; the general public and organizations, including political parties have strongly condemned it. Most significantly, leading officials of the government and the ruling NDC have sought to distance themselves from the crime; the Ministry of Communication was among the first to issue a statement condemning the act. Indeed, the NDC issued a statement characterizing the incident as defying common sense. And the Vice Presidential candidate of the ruling party, Deputy Attorney General, Martin Amidu, also condemned the act as “uncivilized and unconstitutional.” This contrasts sharply with reactions to the similar “smear attacks” on media houses in the past, which were condemned only by opposition elements and civil society while ruling party officials issued statements directly or indirectly condoning the attacks.

To be sure, the act constituted a gross violation of the fundamental right of the media to inform the public. It was a grotesque smear on Ghanaian democracy. But the public and official reactions to it present a glimmer of hope that political actors and the polity at large are beginning to internalize the value of media freedoms and political tolerance.

The naming of new Chief Executives for the state-owned media by the National Media Commission in early September is one of the most encouraging signs of media independence and democratic progress in Ghana today. Effective September 15, the new executives were: Seth Ago Adjetey, Director-General of the Ghana Broadcasting Corporation; Berifi Afari Appenteng, Managing Director of Graphic Communications Group Ltd.; Nanabanyin Pratt, Managing Director of New Times Corporation; and Robert Kafui Kwame Johnson, General Manager of the Ghana News Agency.

A Supreme Court decision by Justice E.K. Wiredu made these possible. His ruling on January 26, 2000, in favor of the NMC, declared as null and void all appointments of Chief Executives of the state-owned media houses in the Fourth Republic because they contravened Article 168 of the 1992 Constitution. The article states that “The Commission shall appoint the Chairmen and other members of the governing bodies of public corporations managing the state-owned media in consultation with the President,” dovetailing Article 167 (c) which mandates the Commission to insulate the state owned media from government control. This provision was deemed to supercede Article 95 which states that “Subject to the provisions of this Constitution, the power to appoint persons to hold or act in an office in the public services shall vest in the president……” which formed the basis of the claim by the government and its lawyers that the power of appointment of state-media CEOs belonged to the President.

Altoghether, the Supreme Court ruling (removing the power of appointment of state-media CEOs from the hands of the President and placing it in the hands of the Media Commission) and the Commission’s expedited implementation of that court decision have enhanced the independence and professionalism of this key sector.

Mixed Signals in Civil-Military Relations

Three major incidents in July and August aggravated Ghana’s fragile civil-military relations: a spooky dawn swoop by uniformed soldiers on unarmed civilians at Asylum Down (a suburb of Accra) resulting in several casualties; the shooting to death of a biochemist by an unidentified soldier at a popular spot in Teshie Nungua, a suburb of Accra; and the brutal assault of a Ghanaian doctor at an irregular police post mounted by the elite 64th Battalion at the military headquarters. The military police has been slow in making arrests in these tragic incidents lending credence to public perceptions that in situations of civil-military clashes the military would not betray miscreants from within and that the military is disinterested in redeeming public confidence in the institution.

However, there were also hopeful signs emerging. In fact there was evidence that President Rawlings might have been quietly mulling over the problem. Not only did he attend the funeral of the biochemist gunned down by an
Thus Election 2000 will test the dynamics of the links between the current government and the military.

One positive outcome of the dialogue was that it fed the public debate over the incidents, inspiring the Commander of the elite 64th Battalion to phone a radio talk show and to discuss his “commando” and dispel what he viewed as public misconceptions.

The police held a joint press conference with the military to sort out the truth of the claims and counter claims being made. But regardless of the outcome, the episode represents a setback for the rule of law and media freedoms in the country. The arresting team reportedly included the Minister of Defense, Dr. Tony Aidoo, the Provost Marshall of the Military, Mr. Bansah and four armed soldiers. The arrest occurred only hours after the December 1999 arrest of Kabral Amihere (a newspaper publisher and President of the West African Journalists’ Crusading Guide).

The NDC government itself, though civilian, is still considered to be a military government as President Rawlings did not completely shed his military garb. The NDC government has been described as a civilianized Head of State, whose very presence on the political landscape largely continued the military imprint on Ghana’s democratic practice; and whether the military thumbprint on Ghana’s constitutional provisions concerning free speech and the right to a rejoinder succeeded in liberating pent-up feelings from within a decade untold otherwise confused incommunicado.

Perhaps the 2000 elections will provide the biggest challenge in civil-military relations. The transition made by the constitutional departure of Rawlings and the 2000 election made very clear that the military does not have a constitutional role in the government.

On September 19, Mr. Sedi Bansah, a Crusading Guide reporter was arrested at the newspaper’s offices reportedly on the orders of the Deputy Minister for Defense, Dr. Tony Aidoo. Bansah’s arrest occurred only hours after the December 1999 arrest of Kabral Amihere, a newspaper publisher and President of the West African Journalists’ Crusading Guide. Aidoo at a filling station in Dansoman (a suburb of Accra) accused an employee of a security company of impersonation claiming to work at the Castle (the seat of government) as a ranger. For his part, Adayuga, an accountant and an employee of a security company, refused the impersonator’s claim to work at the Castle and accused him of impersonation and instead, he asked Adayuga to phone the police headquarters.

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Association), Bansah’s arrest and detention for 9 hours by the police before being granted a self-recognizance bail smacks of abuse of power by agents of state security. The apparent involvement of the military in the arrest and detention was another blatant and arrogant contravention of the constitutional provision precluding the military from the arrest and detention of civilians.

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It is also disturbing that there was no “offending” publication in the present case that could have been used as the pretext for the arrest (as in the case of Blay Amihere). Bansah appeared to have earned his arrest and detention in seeking to verify his story with the Deputy Minister who had been accused of wrong doing. He got into trouble for obeying one of the basic tenets of journalistic practice which charges journalists to be fair to all parties in a story by “getting the other side.” Bansah’s ordeal represents an instance of victimization of a journalist who was trying to be professional and ethical in an environment where journalists have often been accused of lacking in both ethics and professionalism. ■

Three weeks before the December elections, the obtrusiveness of the military/security apparatus escalated in ways that threaten the December 7 elections and democratic process. Over two consecutive weekends, the Ghana Armed Forces conducted military exercises in Accra and Tema to ‘test their combat readiness’ in case of an external attack. The first was the November 6 military exercise in parts of Accra that froze normal activity in and around the city for several hours. The second one in the following week was a mock defense of the Tema Oil Refinery - against internal terrorists.

To be sure, such military exercises are normal, but their being timed a few weeks before the December elections heightened civilian anxieties about a peaceful transition. Was the exercise directed at external insurgents; was it in preparation for a state of emergency, or simply a whiff of saber rattling to intimidate the public?

Almost simultaneously, a private radio station at Berekum in the Brong Ahafo Region, Chris FM, was cordoned off by the military, after it had been ordered to be shut down by the Regional Security Council, for allegedly airing inciting statements by an NPP parliamentary candidate. Some questions are raised by the military occupation of a private radio station: What are the constitutionally prescribed duties of the army? Was the Ghana police too ill equipped to deal with an “errant” radio station, if it really posed a threat to peace?

The final weeks before election 2000 have seen other questionable acts by Security Agencies. On November 6, Felix Odartey Wellington, a regular panelist on the GTV Breakfast Show, was arrested, detained and interrogated by the Bureau of National Investigations (BNI) for comments he made on the show which, were deemed to be “insulting” to the President.

Mr. Wellington, (son of General Odartey Wellington, the former Army Commander who was slain in the Rawlings-led 1979 coup) was commenting on a Graphic headline report in which the President was said to have promised in a campaign speech that he will not “con” the electorate and that opposition politicians were engaged in a “con” game against the public. On the same day, Kofi Coomson, the publisher of the private newspaper, The Chronicle, was also picked up by the BNI, detained and interrogated over an alleged theft of diskettes containing “confidential” materials on the NDC campaign.

These two arrests raise critical issues of civil rights and media freedoms. Odartey Wellington’s arrest raises the issue of the rights of citizens in a constitutional democracy to make fair comments on contestable statements by the President and other top level elected officials. Coomsons’ arrest raises the issue of media right to inform the public on matters of public interest, including confidential ones.

Most significantly, the Odartey Wellington and Coomson arrests by the BNI, just like the military occupation of Chris FM, raise questions about the proper conduct of military/security agencies in a constitutional order. Why did the military/BNI become involved in matters that properly come under the jurisdiction of other constitutional agencies such as the National Media Commission, National Communications Authority and perhaps the Police? After all, the National Media Commission has constitutional mandate to deal with complaints regarding the media; NCA has the statutory authority to issue and revoke the
registration of broadcasting stations and the Police have the overall responsibility for law and order in the country.

Coming in the final weeks of a key general election, these incidents call into question the role of the military and the BNI as state agencies who should be seen at all times to be serving non-partisan national interests. The pronounced visibility of the military and BNI of late can only cause the escalation of electoral tension. And when the incumbent President and Vice President cum flagbearer of the ruling party go about addressing soldiers at “Town Hall” meetings (without giving opposition party leaders similar opportunities), it is extremely difficult to avoid arriving at the conclusion that hyper military/security agency activism in this heady election time is saber rattling.

In the second week of November, outgoing President J.J. Rawlings bared his teeth at the police boss Peter Nanfuri, ordering an effective police response to the spate of political violence around the country. In a historic move, Rawlings gave the police boss a 72-hour ultimatum to submit a detailed plan of action dealing with any further provocations by political party supporters, and warning of possible consequences of further inaction: “you will take personal responsibility ... and in consequence you may be called upon to relinquish the position.” The President’s intervention was in response to spasmodic outbreaks of violence among rival parties for which the police had not taken any punitive action. The warning represented a collateral indictment on the negligence of the Interior Minister, to whom the IGP is directly responsible. It was also a quick reminder of the executive authority over Ghana vested in the President by Article 58 of the Constitution, and is exercised either directly by him (or through his subordinates).

Even though the IGP did not publicly respond, his relative inaction to political violence may be interpreted as a defensive strategy for averting executive wrath, should police action adversely affect pro-government activists. In 1992, when violence erupted on political platforms in the run up to the elections, it took a courageous INEC (Interim Chairman of the Electoral Commission) boss, Justice Ofori Boateng, to rebuke both sides of the political divide—a daring move that appeared to have irked the PNDC Government.

It is instructive to note that the Police have been unable to arrest and prosecute murderers of four anti-Government demonstrators during the mass “Kume Preko” demonstrations since 1995. The President’s ultimatum may have humiliated a helpless IGP, but IGP-police inertia may also reflect the absence of clear executive signal that it is okay for the service to operate professionally without fear or favor.

November brought the horrible news of the murder of two more women in Accra. This brings to 27 the number of unsolved gruesome killings of women in various parts of the nation’s capital within the last two years.

The latest murders highlight the failure of the police to sustain the flamboyant and civil liberties infringing initiatives they embarked upon in August. Upon hindsight, the showy actions of the police appear to have been designed as a stop to women activists who had demonstrated in July to demand a forceful official response to the murders. It is especially disturbing that the report of these latest murders has been downplayed by the state-owned media as if it were impolitic to publicize official failure to solve a problem that has struck so much terror in Ghanaians, particularly women. Or is it an indication of waning official concern for the issue? Or perhaps it is an issue on which the executive ultimatum to the IGP would have been in order?

The mistreatment of ex-leaders has a long history in post-independent Ghana. It includes the death in detention of J.B. Danquah, the doyen of Ghanaian nationalists, under Nkrumah’s government; the quixotic efforts to obliterate the memory of Nkrumah and his government from Ghana in the aftermath of the 1966 coup, and the exiling, confiscation of properties, and marginalization of former presidents from Nkrumah to Limann. But the lowest
point in the shabby treatment of Ghana’s former Heads of State was reached in 1979 when three of them were lined up together with five others, and executed by firing squad.

The desire to reverse this unfortunate situation and atone for the sins of the past have prompted the NDC Government to take the unprecedented step of rehabilitating the widows of all former Heads of State, eight in all, with the lump sum of 42 million cedis each. A similar concern must have moved the government in June of this year to release on “humanitarian grounds,” all the assets of the Prime Minister of the Second Republic, Dr. K. A. Busia.

However, there are a number of problems with the NDC government’s restoration and reconciliation project. First, at 42 million cedis each, the rehabilitation package for the former First Ladies is far from generous and appears halfhearted. Second, the properties that have gone through all manner of abuse (in some cases at the hands of agents of the present government) and neglect for decades are being returned on an “as is” and not “as was” basis. But perhaps it is the indirect but tendentious insistence that the deconfiscations are being made on humanitarian grounds and not on the grounds of justice and reconciliation that provoke the strongest negative reactions. For example the statement announcing the release of the properties of Dr. Busia included references to the findings of the Taylor Assets Committee, which probed Busia and functionaries in his government and provided the legal basis for the original seizures.

The reactions of Ms Abena Busia-Sackey, the eldest daughter of the late Prime Minister Busia and the New Patriotic Party (NPP), which claims heritage from the Busia-Progres Party government to the NDC move are highly instructive in this regard. Ms Busia-Sackey denounced the process leading to the confiscation of her father’s properties, cataloging a string of international laws and conventions that the Taylor Commission had broken in the probe. She also indicted the NDC government for making political capital out of the gesture. Similarly, the NPP repudiated findings of the Taylor Committee as “baseless and the result of a bare-faced politically motivated attempt to smear the reputation of one of the greatest patriots the Ghanaian nation has produced” and questioned the motives of the government in reiterating “the tired old charge of illegal acquisition of properties by the late Prime Minister” in announcing the restoration. The NPP described the deconfiscation as representing “the correction of a manifest, gross injustice that has endured for 28 years.” The party also drew attention to the deteriorated state of the properties and demanded their return on an “as was” basis, and called for a comprehensive program to return all such “wrongful and politically-motivated confiscations that have bedeviled this country.”

These criticisms may be rather high strung and partisan. They may even be taken as a sign of gross ingratitude. But they also highlight the flaws in the government’s treatment of this important matter. The restoration process has not been sufficiently transparent. Moreover, it appears to have been designed to provide the government with maximum political capital.

National reconciliation is key to Ghana’s quest for democratic consolidation. After decades of political recriminations, witch-hunting, vindictiveness and vengeance whose manifestations included politically motivated seizures of properties for which Ghana still bears the scars of pain and division, the time has come to heal the wounds and unite the country. However, it is also important that we adopt a holistic approach to the issue. This obviously includes the provision of a decent settlement package for former leaders. A comprehensive approach would also include the release of the bodies of the three former Heads of State and five other military chiefs executed by firing squad in 1979 for decent re-burial by their families. It would also include the restoration of confiscated assets not only to politicians, but also businessmen such as B.A. Mensah, K. O. Owusu (Kowus), the late J.K. Siaw and others.

Continued on next column

A retirement package for current and latter crop of leaders has been unveiled. It is the product of a six member Committee chaired by Prof. Miranda Greenstreet established in February 1998 in line with Article 71 of the 1992 Constitution, to work out a retirement package for the President and other state and government officials.

Among the recommendations of the Greenstreet Committee is a presidential retirement package, which includes a “gratuity in addition to pension equivalent to his salary and other allowances and facilities prescribed by Parliament.” It also includes a fully furnished house with modern amenities befitting the status of a former

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Head of State,” free domestic support service of a secretary, cook/steward, Driver, Gardener and 24-hour guard for his person and house. Other facilities are the provision and maintenance of a comprehensively insured, fuelled and chauffeur driven car “suitable for a retired President at all times.” Free medical and utility services (water, electricity, telephone) were also recommended. In addition, an ex-President is to be given entertainment allowance, which should be 20% of his salary, as well as a facility to travel abroad at the expense of state once a year. For the purpose of the trip, it further recommended that a ticket and hotel accommodation, “appropriate to the status of a former President for a period not exceeding six weeks” be provided.

For Ministers, Deputy Ministers and Deputy Speakers, the Greenstreet Committee recommended fully furnished official accommodation or 20% of basic salary for those staying in their own houses as retirement package. It also recommended free medical and utility services, free entertainment, free domestic staff of cook, steward and gardener, free chauffeur driven car, duty allowance amounting to 50% of basic salary, special allowance of 30% of basic salary where the Minister was of cabinet rank, and end-of-service or ex-gratia award of three months salary for every one full year of service or part thereof.

The size of the retirement package for the incumbent President and his functionaries may not necessarily be budget-breaking. But considering the whooping sums involved in the retirement package of such an army of former state officials and implications for the national budget, it would have been better to subject the recommendations of the Committee to the fullest public scrutiny and comprehensive debate. Such a process of public debate could have helped to refine the recommendations, generate national consensus over the complex issues entailed, and fostered a resolution of the economic implications of such a mega retirement package.

August 15
As part of its program to monitor coverage of Election 2000, the Center organized its 3rd Media/Political Parties forum at the UNDP Conference Room. The forum was chaired by Audrey Gadzekpo of the School of Communications Studies, Univ. of Ghana. It was attended by representatives of political parties, media houses, the diplomatic community and civil society organizations.

August 25-27
The Center organized a workshop on “Civil-Military Relations in Ghana” at Akosombo. Participants were drawn from the Ghana Armed Forces, the media and civil society organizations.

September 19
Dr. Kwadwo Afari-Gyan, Chairman of the Electoral Commission, made a presentation on “Critical Issues of the December Elections, with Particular Reference to Election Administration.” The Program was chaired by Justice V. C. R. A. C. Crabbe, retired judge of the Supreme Court and former Electoral Commissioner.

September 28
Mr. Laary Bimi, Chairman of the National Commission on Civic Education, led a discussion on “The National Commission on Civic Education and the Upcoming Elections”. The program was chaired by Rev. Dr. Aboagye-Mensah, General Secretary of the Christian Council.

September 29
As part of preparations towards observing the December 7 elections, The Coalition of Domestic Election Observers (CODEO) held its inaugural workshop. The workshop which was held in Kumasi.

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from September 29 to October 1 drew participants from the GNAT, Federation of Muslim Council, Council of Independent Churches, Ahmadiyya Muslim Mission, Ghana Bar Association, Civil Servants Association, FIDA, Ghana Registered Nurses Association, GJA, international PEN, International Prisons Watch, Health watch, Institute of Democratic Studies, Ghana Chamber of Commerce and Industry, Mankind’s Advancement, Upliftment and Development, Ghana Registered Midwives Association, TUC and the Ghana Legal Literacy and Resource Foundation.

October 3

The Center held its 4th Media Political Parties forum at the UNDP conference room. The forum was chaired by Godwin Avenogbor, Director of Radio, GBC. It was attended by representatives of political parties, media houses, the diplomatic community and civil society.

October 5

As part of its Peace and Security project, the Center organized a one-day workshop for 35 members of the Ghana Network of Peace Building Organizations (GHANEPO) at the Bay View Hotel.

Rev. Dr. A. A. Akron, lecturer of the Institute of African Studies, Univ. of Ghana, made a presentation on the topic: “Equipping Members of GHANEPO Towards Election 2000”. The program was chaired by Dr. Baffour Agyeman-Duah, Associate Executive Director - CDD-Ghana

October 22-27

A review and planning workshop of the CDD-Ghana-IDASA-Michigan State University Afrobarometer project was held at the Center. It was attended by 18 participants from Africa, Latin America, Europe and the USA.

October 25

Maja Daruwala, Director, Commonwealth Initiatives on Human Rights, made presentation on “Deepening Democracy and Human Rights: Some South-Asian Experience.” The program was chaired by Mr. B. K. Oppong, Deputy Chairman of the Commission on Human Rights and Administrative Justice (CHRAJ).

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CDD Publications


Critical Perspectives No. 2: Reforming the Political Kingdom: Governance and Development in Ghana’s Fourth Republic by Richard Sandbrook & Jay Oelbaum, June 1999

Critical Perspectives No. 3: Business Associations in Ghana’s Economic and Political Transition by Elizabeth Hart and E. Gyimah-Boadi, January 2000

Critical Perspectives No. 4: Elections in Emerging Democracies: Ghana, Liberia and Nigeria by Baffour Agyeman-Duah, August 2000

Briefing Paper Vol. 1, No. 1: The Nigerian Elections by Baffour Agyeman-Duah, April 1999


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Briefing Paper Vol. 1, No. 4: Democracy and Economic Reform in Africa by Peter Lewis, November 1999


Research Paper No. 2: Popular Attitudes to Democracy and Market Reforms in Ghana, November 1999


Conference Proceedings: Balanced Political Reporting and Democratic Development in Ghana, September 1999

Democracy Watch Vol. 1, No. 1 - December 1999

Democracy Watch Vol. 1, No. 2 - March 2000

Democracy Watch Vol. 1, No. 3 - August 2000
The Center for Democracy and Development, Ghana is an independent, nonpartisan and nonprofit organization based in Accra, Ghana. It is dedicated to the promotion of democracy, good governance and the development of liberal economic environment in Ghana in particular and Africa in general. In so doing, CDD-Ghana seeks to foster the ideals of society and government based on the rule of law and integrity in public administration.