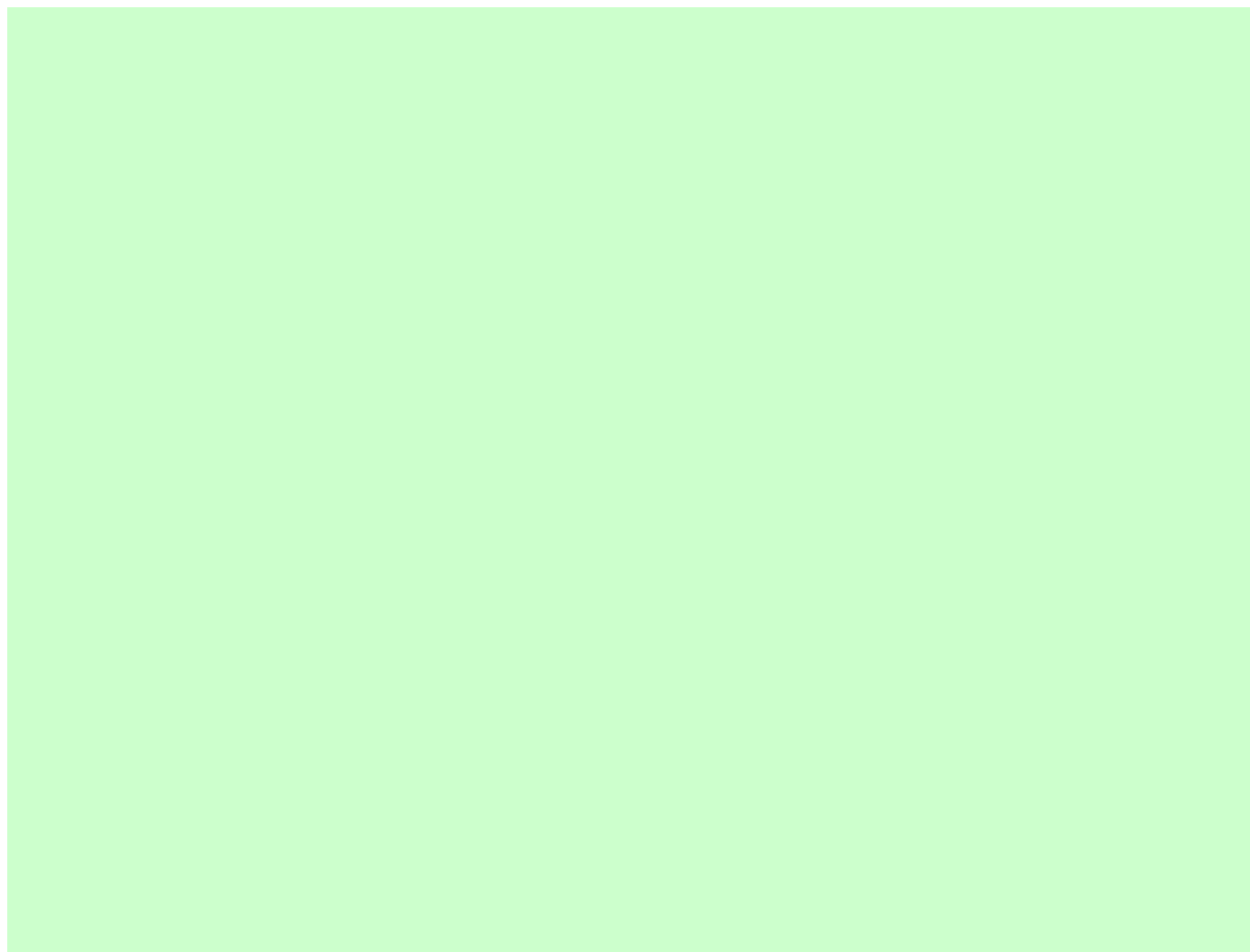
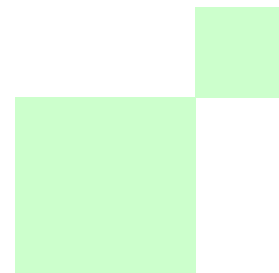




Ghana

**Country Report based on Research and Dialogue with
Political Parties**



About this report:

Political parties are indispensable for making democracy work and deliver. Finding the proper conditions for better internal functioning and effective legal regulation of political parties is of key importance anywhere.

This report is a result of world-wide research and dialogue with political parties. Together with national and regional research partners, International IDEA is improving insight and comparative knowledge. The purpose is to provide for constructive public debate and reform actions helping political parties to develop.

For more about the Political Parties' programme, please visit www.idea.int/parties

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Methodology

The information for this report was collected through desk research and interviews. Desk research was the main method used to gather data on the country context and external regulations. The documents consulted included Ghana's 1992 constitution, as well as legislative instruments and other regulations governing the formation of political parties and elections. Also consulted were publications by institutions such as Freedom House, the Ghana Center for Democratic Development (CDD-Ghana), the Institute of Economic Affairs (IEA), parliamentary documents, material from the Statistical Services of Ghana (SSG) and reports from the United Nations Development Programme. When necessary, the documentation was supplemented with interviews with relevant institutions.

Information on the internal functioning of political parties was gathered mainly through interviews with senior officials of the two parties covered in the study. The interviews were conducted on a one-to-one basis. Because of the length of the questionnaire used, most of the interviews required more than one session. In general the respondents were very cooperative and forthright except on issues of party finances, an area in which most of them either lacked the relevant information or were uncomfortable discussing the matter. In addition to the data given by the interviewees, information was gathered from the parties' constitutions, manifestoes and other materials to verify some of the data provided in the interviews.

Background

Ghana has undergone a number of political changes since it gained political independence in 1957. The most recent elections were held in 1992, 1996, 2000 and 2004. Previous post-independence elections took place in 1957, 1969 and 1979. Until 6 March 1957, Ghana (formerly the Gold Coast) had been ruled by Great Britain through various governors since the 18th century. Ghana was declared a republic on 1 July 1960 by the country's first president, Kwame Nkrumah.

The election of December 1992 followed an 11-year hiatus in political party activity. The formation of political parties had been banned by the Provisional National Defence Council (PNDC) that ruled the country from December 1981 to early January 1993. The major political parties that took part in the 1992 elections were the New Patriotic Party (NPP), the National Democratic Congress (NDC), the National Independence Party (NIP), the People's Heritage Party (PHP) and the National Convention Party (NCP). The elections were supervised by the Interim National Electoral Commission (INEC) under Justice Josiah Ofori-Boateng.

Unlike subsequent elections in Ghana, the presidential and parliamentary polls of 1992 took place on different dates. The presidential election was held first. The NDC's presidential candidate, Flight Lieutenant J. J. Rawlings, was declared the winner with more than 50 percent of the votes cast. The other parties, led by the NPP, alleged widespread irregularities and boycotted the subsequent parliamentary elections held two weeks later. Consequently, the NDC won 197 of 200 seats while the remaining three were won by independent candidates. To support its claim of electoral misconduct, the NPP catalogued a number of irregularities allegedly perpetrated by the NDC and individuals associated with it in a book entitled *The Stolen Verdict*. The results of the elections, however, were not challenged in court.

The 1996 presidential and parliamentary elections, unlike those of 1992, were held on the same day. The parties that took part in the 1996 elections included the NPP, the NDC, the People's National Convention (PNC) and the Convention People's Party (CPP). The NPP and the CPP formed an electoral coalition that they termed the Great Alliance. Because of disagreement over which party's nominee should stand as the parliamentary candidate in some constituencies, the alliance achieved little. Some observers believe that the individual parties would have performed better if they have contested the elections alone.

The NDC's candidate again won the presidency with more than 50 percent of the votes cast. There were allegations of irregularities but they were not on the same scale as those made in 1992. For the first time, the IEA trained and brought together a Network of Domestic Election Observers (NEDEO), comprising more than 20 civil society groups and non-governmental organizations (NGOs), to observe the polls. Other international bodies, such as the Commonwealth Observer Group, also monitored the election. The presence

of local observers made a significant contribution to building confidence in the polls, although (as in most Ghanaian elections) the losing parties made allegations of electoral misconduct.

The 2000 elections led to the transfer of power from the incumbent NDC to the NPP, which by then had become the main opposition party. The election was keenly contested and there was no clear winner after the first round. During the run-off between the two main parties, most of the other opposition parties urged their supporters to vote for the NPP. The latter won more than 50 percent of the vote and was declared the winner. As in the 1996 elections, local election observers monitored the process before, during and after the polls.

The 2004 elections were contested by four presidential candidates and six registered parties. The 2004 polls, too, were keenly contested, but were won in the first round by the NPP. A few months before the elections, the CPP, the PNC and the Great Consolidated People's Party (GCPP) formed an electoral alliance called the Grand Coalition, with Edward Mahama as its presidential candidate. As with the alliance between the NPP and the CPP in 1996, misunderstanding among the constituent parties undermined the Grand Coalition's effectiveness. The opposition again made allegations against the ruling party but declined to pursue the matter in court.

Each of the four elections held in Ghana since 1992 have been successful, and each has been an improvement on its predecessor. In 1992, for example, the electoral commission used opaque ballot boxes and the electoral roll used had been compiled in late 1980s. Transparent ballot boxes have been used in subsequent elections and the electoral roll is now revised during the election year.

Ghana has a multiparty democratic system with eight registered political parties as of December 2004. The two main parties are the NPP and the NDC. The NDC ruled the country from 1993 to January 2001, and the NPP has governed since then. Between 1966 and 1992, Ghana had a number of political systems, from multiparty democracy to military dictatorship. In that period multiparty elections were held in 1969 and 1979, but the democratic regimes that ensued lasted only 27 and 23 months respectively. For the rest of the period the country was ruled by military regimes. The political system, however, has been stable since the advent of the Fourth Republic in January 1993.

Table 1. Parliamentary Situation

Party name	No. of seats	% of seats	No. of seats for women	% of seats for women
New Patriotic Party (ruling party)	128	55,7	20	8,7
National Democratic Congress	94	40,9	5	2,2
People's National Convention	4	1,7	-	-
Convention People's Party	3	1,3	-	-
Independent candidates	1	0,4	-	-
Total	230	100	25	10,9

External regulation and environment

Legislation governing political parties

The main documents governing political parties in Ghana are the 1992 constitution; the Political Parties Law (PNDCL 281) of 1992, amended in 2000; the Representation of the People Law (PNDCL 284) of 1992, amended in 2000; the Public Elections Regulations (C.I. 15) of 1996; the Political Parties Act of 2000 (Act 574); and the Political Parties Code of Conduct of 2000, amended in 2004. Note, however, that the Political Parties Code of Conduct, as its name implies, is not a legal document and thus is not binding. Rather, it is a code of conduct drawn up by civil society groups in collaboration with the political parties and the Electoral Commission. The purpose of the code is to guide political parties in their day-to-day activities, especially during campaign periods.

Ghana has a dual electoral system. Parliamentary elections use the first-past-the-post system—that is, the candidate who wins the highest number of votes is declared the winner. The same system is used for district-level elections, but these are officially non-partisan. In presidential elections, the winning candidate must obtain at least 50 percent plus one of the votes cast. When no candidate wins the required number, the constitution requires that another election be held for the two candidates with the highest vote count within 21 working days of the first election.

The constitution does not set a quota for the representation of any group, whether its members be women, ethnic minorities or the disabled. It does, however, stipulate that all citizens should have equal opportunity, irrespective of ethnic background, religion or gender. The constitution requires regional balance in ministerial appointments and specifies that a majority of ministers of state are to be appointed from among members of parliament (MPs).

Internal party functions

The internal functions of political parties in Ghana are governed by the Political Parties Act 2000, Act 574, Section 9 (a-f) and Section 17 (1 and 2). This stipulates that a party's internal organization should be consistent with democratic principles and that it should not represent an ethnic, religious or sectoral interest. Hence parties are supposed to be national in character and have offices in all of the country's constituencies.

Registration of parties and nomination of candidates for elections

The Electoral Commission has sole responsibility for registering political parties in Ghana. The parties' candidates for general elections are nominated by the parties themselves. The Commission determines the dates, the procedures for the filing of nominations and the fee or deposit to be paid. The foregoing factors are governed by the Representation of the People Law of 1992, PNDCL 284 Section 11 (5) (a-c). The Public Elections Regulations 1996, C.I. 15 (4 and 5), Section 4, specifies the number of signatories and fees to be paid; Section 5 deals with presidential candidates and elections.

Election campaigns and observation

Political activities can be conducted year-round, but the Electoral Commission's official campaign period is normally six months before the elections. The Inter-Party Advisory Council (IPAC) is a committee comprising the Electoral Commission, registered political parties, and representatives of donor agencies who sometimes attend the meeting as observers. The IPAC meets periodically to discuss issues affecting political parties and elections. It contributes to various aspects of the election process, although the final decision is the sole preserve of the Commission. All registered political parties may be represented during the compilation of the electoral roll, on polling day, during the vote-counting process and at the tabulations of elections results in the constituency polling stations and the headquarters of the Electoral Commission. The Commission's presiding officers may consult party agents in making decisions on ballots' eligibility and on spoiled ballots.

The final results at the polling stations and the compilation centres are to be signed by party agents. If they refuse or fail to do so, however, the result is not invalidated. If they object to any aspect of the process, they may complete a complaint form to be forwarded to the Electoral Commission for investigation and action. Copies of declared results in the polling stations are made available to party agents. The latter may also compile their own results on the basis of those declared at the polling stations. The Electoral Commission, however, has the final authority to declare a candidate or a party as a winner.

Internal functioning and structure

Founding of parties

The two parties covered in the study were officially registered in 1992. One was formally launched in Victoria Park in Cape Coast, and the other at the University of Ghana in Accra. The names of both parties have remained unchanged since 1992. A significant shift within one of the parties was the adoption of social democracy. This party describes itself as 'social democratic' and advocates state involvement in almost all aspects of the economy, while at the same time allowing for private initiative and ownership. The other party terms itself 'liberal democratic' and advocates a free market economy, private ownership and wealth-creation, while also seeking to ensure that the necessary measures are taken to protect the most vulnerable in society.

Internal structure and election of leadership

Both parties covered in the study have clearly defined party structures from the national to the local levels, as well as a hierarchy of national executives. The composition, functions and guidelines of each of the party structures are specified by the parties' constitutions and, in some cases, by other regulations. Membership of almost all the parties' internal bodies is by election at the national, regional, constituency or local levels.

Neither party has official quotas for women, youth or any other minority group, but informally they encourage these groups to play an active role in party activities and to present candidacies for positions for which they are eligible. Both parties hold an annual national delegates' congress to discuss issues affecting them, review the previous year's activities, and consider future steps. Additionally, each party holds a delegates' congress every four years to choose a presidential candidate and other national executives.

Both parties see their respective national delegates' congresses as the most powerful means of deciding on issues affecting party structure, ideology and other constitutional issues. The National Executive Committee, the Functional Executive Committee, the Council of Elders, the National Council and the Steering Committees have the greatest influence on policy initiatives.

Policy development

Each party has a policy programme document, drawn up on the basis of the party's ideology, which guides policy decisions whether the party is in power or in opposition. The policy documents are prepared with inputs from party members and defined groups within the parties, and are later presented to the congresses for approval and adoption. In preparing the document, both parties draw on research findings and take account of prevailing socioeconomic conditions.

Membership

Membership of both parties is open to all Ghanaians aged 18 and older who are of sound mind and who subscribe to the parties' ideologies and programmes. Both parties keep membership registers at all levels of the party structure but neither is able to indicate party membership. The explanation offered was that the register is not a true reflection of membership, since a significant number of party 'members' neither register officially nor hold party cards. Despite the lack of accurate data, both parties claim that their membership has increased over the years.

In both parties, membership confers certain rights and responsibilities. For instance, a moderate fee of between 2,000 GHC and 3,000 GHC is charged for general membership cards in both parties. Each of them

also has special membership cards. The initial fees for these range from 1,000,000 GHC to 5,000,000 GHC (between US\$114 and \$US569, as of August 2006), in addition to monthly contributions.

Members of both parties are expected to pay monthly dues, but only a few actually do so. That circumstance is attributed to poverty, and to a lack of appreciation for the role of political parties in the development of the country and the individual. The two parties have clear channels of communication (both horizontally and vertically) between members and the executive. What constitutes unethical behaviour and breaches of conduct is clearly defined in each party's constitution or regulations, as are the procedures for investigating alleged misconduct and the sanctions to be applied. The parties carry out regular membership drives and train their members, especially party activists, executives and those who represent the party during voter registration and on polling day.

Electoral activity: candidates

The criteria for selecting candidates in both parties are clearly stated in their constitutions. In the case of a presidential candidate, aspirants should have been a committed and loyal member of the party for at least five years, and should satisfactorily have met all of their party obligations. They must be at least 40 years old and have no criminal record. In both parties, presidential candidates are elected at a national delegates' congress. A candidate must obtain more than 50 percent of the votes cast to be declared the winner. When no candidate receives the required number of votes, the two with the highest number contest a second round.

All parliamentary candidates are elected, but both parties admit that there have been instances when, for particular reasons, some individuals have been allowed to stand as candidates without having competed in the primaries. The eligibility criteria for parliamentary candidates in both parties include membership for at least two years, being from or having resided mostly in the constituency in which they wish to stand for five years before the election, and having met their tax obligation to the state.

Unlike presidential elections, those for parliament are held at the constituency level. Election is by simple majority and in neither party are there quotas for any groups (women, youths or minorities). In both parties, presidential and parliamentary candidates are expected to pay a substantial and non-refundable nomination fee to the party.

Electoral activity: campaigns

The two parties prepare electoral manifestos that guide their campaigns. The manifestoes, drawn up by campaign teams with contributions from individuals and groups in the parties, become the blueprint that the regional and constituency offices adopt for local campaigns. In the past the NPP has boycotted a parliamentary election and the NDC has not boycotted any national election. In the last ten years, however, both parties have recognized the winners of national elections.

The parties' external relations

Both parties are members of international political associations and unions. The party that describes itself as social democratic is a member of the Socialist International and has a working relationship with social democratic parties in Spain, Sweden and other countries in Europe and South America. The party that describes itself as centre-right is a member of the International Democratic Union and the Democratic Union of Africa. In both cases, the relationship between the parties and the international groups takes the form of attending conferences together, as well as sharing information on party organization, development and other issues.

Domestically, both parties have had some form of alliance or electoral cooperation with other parties in the past. Currently however, neither has a formal alliance with any other registered party. The parties also indicated that they do not have any special relationship with civil society organizations such as trade unions, business groups, NGOs and religious bodies, beyond normal cooperation on issues of mutual and national interest. Both parties are members of the IPAC. The NPP has an official media outlet, but is it usually active only in election years. Both acknowledged that some private media outlets tend to support and champion the ideologies and programmes of particular parties in their editorial columns.

Funding

Officially, no spending limit is imposed on candidates contesting primaries or other party offices, but both parties encourage moderation. One reason why there is no official ceiling on spending is that constituencies vary by size, needs and populations. Hence such a regulation might be impractical, and might even place certain constituencies at a disadvantage. In both parties, candidates in primaries are supposed to pay a nomination fee ranging from 3,000,000 GHC to 11,000,000 GHC (US\$341 to US\$1,251 as of August 2006), depending on whether the candidate is incumbent.

Both parties indicated that parliamentary candidates are not required to provide any specific sum of money for campaign purposes. Neither do they receive any particular amount from the party; most of the responsibility for raising funds rests with the individual candidate. Generally, candidates work with their constituency executives and campaign teams to raise the resources needed to run effective campaigns. Where the party has campaign financing, the resources are made available to the regional and constituency executives and campaign teams (of which the candidates are members) and not to the candidates themselves. Candidates are expected to campaign for their parties as well as on their own behalf. It is a breach of party regulations to campaign for a candidate from an opposing party or for an independent candidate, unless that candidate has been endorsed officially by the party.

Year-round, both parties support (financially or otherwise) the activities and programmes of their respective women's groups and all other party bodies. Income for both parties derives, among other things, from fundraising, dues, donations from party members and the sale of party paraphernalia. None of the respondents could provide a figure for party income and spending during election and non-election years. It is clear, however, that each party spends more money in election years on rallies, congresses, transport, training party activists and the salaries of staff at party offices.

The two parties make copies of their financial reports available to the Electoral Commission after general elections, and annual financial reports are available at party offices for interested members. It should be noted that finance was an area that representatives of both parties were uncomfortable discussing. Neither party owns any businesses, although one of them owns the building that houses its national headquarters.

Challenges and opportunities¹

On the whole, the two parties covered in this report satisfy most of the criteria for a political party. Both of them have clearly defined party structures from the national to the local levels, as well as a hierarchy of national executives. The composition, functions and guidelines of each party structure are specified in the parties' constitutions and other regulations. The eligibility criteria for general and executive membership, as well as rights, duties and sanctions, are all clear and documented. Both parties have large numbers of supporters and have achieved a high level of internal democracy.

Nonetheless, both of them need to do more in the areas of capacity-building, fundraising, membership drives and registering members, party organization, the mainstreaming of women, accountability and codes of conduct.

The parties have more followers, as reflected in the percentage share of votes they have received in general elections since 1992, but this does not indicate a corresponding ability to mobilize the required funds for party activities. That circumstance stems from the absence of updated membership registers and from the parties' inadequate capacity to meet the challenges of modern party organization.

Hence the need for capacity-building in advocacy, party management, membership mobilization and fundraising. A full-time fundraiser is needed to devise strategies to identify and mobilize resources throughout the year. With adequate funding the parties would be able to pay their national, regional, constituency and local executives adequately, thus retaining a full-time staff. That in turn would help ensure that those officers would devote their full attention to the activities of their parties year-round.

The parties also face the challenge of mainstreaming women in particular, and youths and minorities in general. In both parties the number of women in the national executives outside the women's wing is negligible. The same applies to youth groups and other vulnerable sectors such as minorities. Although the country's constitution does not impose any constraints on women and youths, certain traditional practices and historical experiences have contributed to their marginalization. There is thus a need for both parties to

make efforts to ensure that women and youths hold executive positions. This could be effected through quotas.

Additionally, the parties should be more accountable and transparent in the disbursement of party funds. This could be done by means of periodic reports to members and to the general public, in addition to the documentation presented to the Electoral Commission. The current debate about the possibility of state funding for political parties in Ghana underscores the need for the parties to exhibit greater accountability and transparency.

Many Ghanaians have expressed concern about intimidation and objectionable statements made by politicians, especially during election periods. In response, and with the support of civil society groups, NGOs and the Electoral Commission, the parties have prepared a code of conduct. The code, however, does not seem to have met expectations. Hence the parties should strengthen their educational activities on the need for leaders and members to be civil in their discourse.

Notes

¹ The opinions expressed here are those of the researchers and do not necessarily reflect the views of IDEA.

About International IDEA

Founded in 1995, the International Institute for Democracy and Electoral Assistance (IDEA) is an intergovernmental organization that seeks to promote and develop sustainable democracy world-wide. For information about IDEA, its work and publications, please visit www.idea.int

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Founded in 1998, it is dedicated to the promotion of democracy, good governance and the development of a liberal political and economic environment in Ghana in particular and Africa in general.

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