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# Democratic Ruptures and Electoral Outcomes in Africa: Ghana's 2016 Election

George M. Bob-Milliar and Jeffrey W. Paller

**Abstract:** Repetitive elections are important benchmarks for assessing the maturity of Africa's electoral democracies. Yet the processes through which elections entrench a democratic culture remain understudied. We introduce an important mechanism called a democratic rupture: an infraction in the democratisation process during competitive elections that has the potential to cause a constitutional crisis. It provides a new avenue of citizen participation outside of voting, and political space for opposition party realignment and to strengthen its support. Drawing from the case of Ghana, we show how the 2012 presidential election petition challenge served as a democratic rupture by contributing to the opposition's victory in 2016, enabling its political development. First, it exposed flaws in the electoral system and led to demands for electoral reforms. Second, it led to citizens being better educated on the electoral process. Third, it taught political parties that vigilance at the polling stations can help win elections. The article provides a critical analysis of the factors that shape democratic development, especially in cases where opposition parties defeat incumbent politicians.

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**Keywords:** Ghana, democratic rupture, democratisation, repetitive elections, multiparty

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## Introduction

Africa is a continent with a strong incumbency advantage at the presidential level (Cheeseman 2015: 146). Between 1990 and 2009, there were only nine instances of an opposition candidate defeating a sitting incumbent; four of these cases were in founding elections, while three took place in Madagascar (Cheeseman 2010). Incumbent parties are also more likely to lose support in open-seat polls, where an incumbent president is not contesting (Posner and Young 2007). This contributes to a context where defeating an incumbent president is a highly unlikely affair. The inability of opposition parties to defeat incumbents is a potential threat to a country's broader democratisation process, as governing parties can consolidate economic, social, and political control over the citizenry. This leads to a puzzling question: What is the process through which opposition party candidates defeat presidential incumbents in African elections?

Two bodies of scholarship can help answer this question. One set of studies points to the process of democratic learning through elections as a possible mechanism through which democracy is strengthened, contributing to its potential to strengthen political competition. This can bolster the strength of the opposition, and contribute to the latter's future electoral victory. In his theory of "democratization by elections," Staffan Lindberg suggests that the reiteration of multiparty elections has a "self-reinforcing power" that can entrench a democratic culture within a country (Lindberg 2009: 25–46). This approach emphasises the importance of a well-institutionalised party system, citizen trust in the electoral process, and the existence of a vibrant civil society and free media. This scholarship appropriately focuses its attention on the structure of the citizenry and political system, yet it fails to uncover the important process and mechanisms through which opposition parties demand political reforms and gain a voice in the decision-making process.

An alternative approach points to how political parties win elections. These studies focus on the role of ethnic identity, the state of the economy, and the public management of the bureaucracy. The strength of this research is in the close attention it pays to context, as well as its treatment of African politicians as rational actors. However, by treating elections as fixed events, it obscures the important politics that can occur between electoral periods. In addition, it focuses mostly on the immediate campaign period and voting tabulation procedures. The long process of electioneering is missed in this analysis, especially the strategies and tactics of the opposition.

Our approach in this paper<sup>1</sup> combines these two bodies of scholarship to explain when the process of democratic learning can open political space for the opposition to defeat presidential incumbent candidates. We suggest that this is a very important aspect of the democratisation process, but one that is currently undertheorised in the democratisation-by-elections framework. In particular, we advance the new concept *democratic rupture*: an infraction in the democratisation process during competitive elections that has the potential to cause a constitutional crisis. Democratic ruptures are important for democratisation because they can provide new avenues of citizen participation outside of voting, political space for opposition party alignment, and opportunities for the opposition to mobilise new supporters. This concept draws from normative democratic theorists, who emphasise the importance of rupture – or a radical break from the past – in governing a democratic society.

We analyse the crucial case of Ghana's 2016 election to substantiate our theory (Gerring 2007). Many scholars were concerned about democratic backsliding before the elections, despite the country's label as one of Africa's most robust democracies. Some analysts went so far as to suggest that Ghana's model democracy was in danger of faltering (Bekoe and Burchard 2016). Distrust in the Electoral Commission (EC) was high. According to the Afrobarometer, only 37 per cent of Ghanaians trusted their electoral commission "somewhat" or "a lot," well below the average of 50 per cent across the continent (Penar et al. 2016). Fifty-four per cent of Ghanaians worried that party activists would commit violence (CDD-Ghana 2016a). The stakes were particularly high because an incumbent head of state had never lost power in Ghana's Fourth Republic. Yet in the end, the opposition won by a landslide, the incumbent conceded, the EC managed a credible poll, and the country remained a model democracy on the continent.

We use a combination of qualitative research methods, drawing on data from ethnographic observation covering the past eight years (Schatz 2009). We attended both parties' national delegates' congresses (2007, 2010, 2014), campaign rallies, and party branch meetings to understand the ways that political parties devise campaign strategies and understand the electoral terrain. Further, we conducted elite interviews to under-

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stand the nuances of electoral politics. We conducted ten interviews with five parliamentarians from each of the two main parties in Accra, Kumasi, Tamale, Bolgatanga, and Wa. We also interviewed five party executives each from the two main parties' executive leaderships at the national and grassroots levels. We conducted a comprehensive review of primary documents including party manifestos and policy statements to understand the positions of political parties, as well as to process-trace the critical junctures in the democratisation process.

We find that the 2012 presidential election petition challenge served as a democratic rupture by contributing to the opposition's victory in 2016, enabling the country's political development. First, it exposed flaws in the electoral system and led to demands for electoral reforms. Second, it led to citizens being better educated on the electoral process. Third, it taught the political parties that vigilance at the polling stations helps win elections. The democratic rupture had important implications for the 2016 election, in which the opposition was victorious over an incumbent president for the first time in the Fourth Republic.<sup>2</sup> These empirical results suggest that the process of democratic deepening requires an opening of the political arena for the opposition party to destabilise the status quo, but also to win the following election. This offers a new and overlooked mechanism to the democratisation-by-elections framework.

The article proceeds in seven parts: First, we introduce the crucial case of Ghana's 2016 election. Then, we discuss the existing explanations that have been advanced to explain the conditions under which incumbents can be defeated in democracies with weak institutions. Following that, we highlight the shortcomings of those explanations and introduce our concept of democratic rupture. We go on to provide empirical evidence for how the 2012 electoral petition served as a key democratic rupture by exposing flaws in the political system. Afterwards, we illustrate how democratic ruptures contributed to political party realignment. We then justify our claims by showing how new avenues of citizen participation are crucial, and we conclude by delineating the implications of our argument for other African countries.

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2 Samuel Huntington (1991) highlights the importance of electoral turnovers in the democratisation process.

## Ghana's 2016 Election

Ghanaians voted in presidential and parliamentary elections on 7 December 2016. The ruling National Democratic Congress (NDC) and the opposition New Patriotic Party (NPP) dominated political competition.<sup>3</sup> The elections recorded voter turnout of 69.25 per cent, and international and domestic observers adjudged the polls to be free, fair, and credible. Of the 10,713,734 valid votes cast, the NPP opposition candidate, Nana Addo Dankwa Akufo-Addo, won with 5,755,758 votes, or 53.72 per cent. The incumbent, John Dramani Mahama of the NDC, polled 4,771,188 votes, or 44.53 per cent (EC 2018).

In Parliament, the NPP won a majority with 169 seats (61.45 per cent), and the NDC captured 106 seats (38.54 per cent).<sup>4</sup> Even though the NPP were slight favourites according to pre-election surveys (CDD-Ghana 2016a), a last-minute blitz of infrastructure commissioned by the incumbent NDC attempted to overshadow the NPP's campaign. For example, on 26 November 2016, the president commissioned six major projects in the Central Region, including a modern Kotokuraba market, Moree Community Senior High School, Ofaakor Community Day SHS, Kasoa interchange, and Komenda Sugar Factory.

Indeed, having suffered defeats in the 2008 and 2012 elections, and learning the lessons from its election petition, the NPP spent the previous three years improving its campaign machinery. By contrast, the incumbent NDC administration struggled to address major economic issues and was forced to confront several political scandals. Overall, the elections were a referendum to determine which of the two main parties was viewed as being a more effective manager of the developing economy boosted by revenue from oil and gas resources, signalling an important shift in the democratic process to programmatic campaigning and debate. Despite this context of campaigning, the process through which the opposition created political space to defeat the incumbent remains unexplained. Due to the lack of empirical cases of opposition victories against incumbent candidates in African elections, the 2016 election serves as a crucial case to examine the processes and mechanisms that can lead to this outcome.

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3 The remaining four parties – the Progressive People's Party (PPP), Convention People's Party (CPP), People's National Convention (PNC), and National Democratic Party (NDP) – were reduced to what Paul Nugent (2001b) evocatively called “also rans.”

4 None of the minor parties won a seat in the parliamentary polls.



## Democratisation and Electoral Outcomes in Ghana

Ghana has an open political system with very competitive elections. The seven contested multiparty elections held between 1992 and 2016 have imbued Ghana's electoral politics with a well-institutionalised party system (Whitfield 2009), popular support and participation in elections (Ninsin 2016; Daddieh 2011; Gyimah-Boadi 2009), and a vibrant civil society and free media (Arthur 2010). The consensus among political actors and civil society organisations is that the country's electoral management systems are adequate (CDD-Ghana 2016a). More importantly, the electoral choices of the majority of Ghanaians are based on issues (Harding 2015; Lindberg and Morrison 2008).

Scholars in the democratisation-by-elections tradition offer some important lessons for the potential of the opposition to win the 2016 election. In his attempt to explain the process of democratisation in formerly authoritarian states, Schedler (2002) suggests that the conduct of elections impacts the function of governing regimes significantly because they shape the exercise of executive and legislative behaviour (Schedler 2006). But elections are equally important for opposition parties, as they provide political space to change institutional rules that could lead to electoral victories for opposition parties in the future.

According to Lindberg (2006), holding competitive elections improves civil liberties by strengthening civil society, creating democratic citizens, and providing new roles for state institutions. Yet despite these structural characteristics, Ghana's political system is hampered by a lack of accountability and by political clientelism that privileges the incumbent regime (Paller 2014). In addition, prior to the 2016 election, an opposition candidate had never defeated an incumbent presidential candidate. Ghana still suffered from a strong incumbency bias that the democratisation-by-elections framework cannot explain. Instead, we focus on the avenues of citizen participation and the strengthening of the opposition party that are important to the deepening of democracy, particularly in a strong and centralised state that favours the incumbent (Arriola 2012).

By contrast, there is abundant scholarship about how political parties win elections, and from whom they draw their political support. Regional identification is crucial to the electoral process (Nugent 2001a; Fridy 2007). Voters in the Upper East, Upper West, Northern, and Volta regions identify mainly with the NDC, while the NPP enjoys substantial support from the Ashanti and Eastern regions (see Table 1, which pro-

vides context for past performance of political parties across regions). Voter preferences have long been linked to ethnic considerations, especially the instrumentalisation of ethnicity in party platforms (Nugent 2001a, 2001b; Fridy 2007). In contrast to ethnic-based explanations,

only about one in ten voters is decisively influenced by either clientelism or ethnic and family ties in choosing political representatives, while 85 to 90 per cent behave as mature democratic citizens. (Lindberg and Morrison 2008: 96)

**Table 1. Presidential Election Results by Region: 1996–2016**

Region	New Patriotic Party					
	1996	2000	2004	2008	2012	2016
Western	40.90	50.54	56.64	47.55	43.80	<b>52.3</b>
Central	43.30	49.68	58.57	45.97	45.53	<b>53.2</b>
Greater Accra	43.30	52.52	51.99	46.03	46.92	<b>52.4</b>
Eastern	45.00	54.97	60.27	57.14	56.91	<b>63.3</b>
Brong-Ahafo	36.00	50.57	51.96	50.56	39.11	<b>54.8</b>
Ashanti	65.80	74.73	74.61	72.40	70.86	<b>75.9</b>
Volta	4.70	8.48	14.26	14.98	12.93	<b>17.3</b>
Northern	33.00	29.56	36.20	38.27	39.11	<b>41.8</b>
Upper West	11.20	15.51	32.23	37.72	29.26	<b>35.9</b>
Upper East	17.40	21.46	31.66	35.25	29.29	<b>34.9</b>
Region	National Democratic Congress					
	1996	2000	1996	2008	1996	2016
Western	57.30	43.93	40.89	47.06	54.42	<b>45.3</b>
Central	55.20	43.73	39.21	50.58	52.12	<b>43.4</b>
Greater Accra	54.00	42.68	46.37	52.11	52.31	<b>46.6</b>
Eastern	53.80	41.34	38.38	41.10	42.03	<b>35.6</b>
Brong-Ahafo	61.70	44.62	46.05	47.70	51.49	<b>44.9</b>
Ashanti	32.80	22.49	24.06	26.13	28.35	<b>23.3</b>
Volta	94.50	86.18	83.83	82.88	85.47	<b>80.9</b>
Northern	61.20	50.07	56.94	56.84	58.23	<b>55.5</b>
Upper West	74.60	62.29	56.67	54.36	65.54	<b>58.3</b>
Upper East	69.00	52.07	53.90	56.06	66.43	<b>60.3</b>

Source: Compiled from the EC 2018.

In sum, explanations for voting behaviour range from regional identifications to ethnic considerations, development preferences, and historical

experiences (Jockers, Kohnert, and Nugent 2010; Fridy 2007; Morrison and Hong 2006; Ayea 2002; Bob-Milliar 2011).

New explanatory variables were introduced into the equation to account for Ghanaian voter preferences after the outcome of the 2000 and 2008 elections. The management of the economy by the ruling elites and public perception of corruption contributed to voter preferences (Ayea 2002; Daddieh 2011; Whitfield 2009; Gyimah-Boadi 2009). The electorate now evaluated political performance based on the provision of public welfare programmes (Whitfield 2009). While these explanations go a long way towards explaining the structure of Ghana's electoral terrain, they are less able to explain the process of political party mobilisation during the context of campaigns, and do not fully account for the strategies that opposition parties use to gain a voice in political decision-making. We suggest that the concept of democratic rupture can fill this gap.

## Democratic Ruptures

The concept of democratic rupture has its roots in agonist theories of democracy. For theorists like Jacques Rancière, the very meaning of democracy is “the rupture in the logic of *arché*,” or rule (Rancière 1999: 29–30). Patchen Markell explains that this “takes place when those who have ‘no part’ within a regime suddenly appear and speak in public without authorization” (Markell 2006: 3). The moment of rupture is a revolutionary moment when democracy, or popular sovereignty, is officially realised (Archer 2013). This is akin to Barrington Moore's famous claim that the path to democracy requires a “revolutionary break from the past” (Moore 1966).

Our conceptualisation of democratic rupture takes the basic theoretical point of political rupture – a juncture in the political arena where a marginalised population enters political decision-making – but embeds it in the institutional realm of elections. By combining this normative theoretical concept with the more empirical democratisation-by-elections framework, we are better able to show how electoral campaigns and broader political transformations are linked. We define this concept as a democratic rupture, or an infraction in the democratisation process during competitive elections that has the potential to cause a constitutional crisis. Democratic ruptures can provide new avenues of citizen participation outside of voting, political space for opposition party realignment, and the opportunity for the opposition to strengthen its support.

The strength of this approach rests in thinking about elections in the broader context of democratic deepening or erosion. In weakly institutionalised electoral systems, democratic ruptures can occur during flawed elections. As Andreas Schedler explains, flawed elections contribute to a situation where “the competition for votes and the struggle for electoral reform go hand in hand” (Schedler 2002: 118). He continues,

The intensity of electoral competition is closely related to the perceived need for regime legitimisation [...] and to the organizational capacity of opposition parties, including their ability to monitor voting and defend their victories. (Schedler 2002: 115)

In this way, the consideration of democratic ruptures focuses our attention on the role of opposition parties, and how they attempt to enter the decision-making sphere even when they are unable to win the contested election.

Most importantly, democratic ruptures can directly contribute to electoral victories in the future. They are one mechanism through which opposition parties can realign and destabilise the status quo, providing an opening for electoral victory the next time around. This provides an important addition to the democratisation-by-elections framework. By altering the logic of rule, as the agonists describe it, democratic ruptures shift electoral competition to favour a set of people that were previously left out of the decision-making process.

The outcomes of democratic ruptures depend on the underlying institutional environment. For example, in open political systems where the rule of law and civil rights are protected from undue political interference, constitutional courts can resolve electoral disputes. Such environments have the potential to produce critical democratic citizens and reform the electoral system. In the antecedent literature, we find our concept similar to “political ruptures,” which Lipset and Rokkan (1967) use to explain changes in the European electoral system. Democratic ruptures are distinct from other kinds of societal ruptures because they specify major *democratic* openings in the political system – speaking truth to power and having an impact for the first time – as the normative democratic theories suggest.

## The Democratic Rupture: Public Exposure of Flaws in the Electoral System

The roots of the NPP’s opposition victory can be traced to problems in earlier elections. In 2008 there were two rounds of voting, with the op-

position NDC emerging victorious. The elections were characterised by malpractices, and the final vote margin was less than 2 per cent. Amongst the most contentious issues was the integrity of the electoral register. For years, “a convenient myth” of Ghana’s electoral management superiority was promoted by national and international organisations (Jockers, Kohnert, and Nugent 2010). Until 2012, the electoral system was peaceful and produced winners in an orderly fashion. Yet, each post-election assessment highlighted a problematic voter register and sophisticated electoral fraud by the NPP and the NDC, especially in their strongholds (interview, a party organiser, Kumasi, 15 September 2017). The parties’ agents and some EC officers continued to collude to fix election results by purposefully transposing the digits in order to increase or reduce the votes of a candidate (see Republic of Ghana 2013).

The political parties contributed to bloated registers. In their strongholds, minors and even foreigners are regularly bussed in and assisted to register during mass registration exercises (*Daily Graphic* 2012). While the NPP was in favour of compiling a new register, the NDC supported cleaning up the existing one. The EC raised legal issues, saying that it did not have the power to delete the names of voters from the register. In 2016 the Supreme Court (SC) intervened and ordered the EC to delete the names of 56,772 persons who registered with delegitimised National Health Insurance Scheme cards in (EC 2016a).

While distrust of the electoral registrar has plagued most of Ghana’s elections, the 2012 irregularities triggered a different response from previous scenarios. While opposition parties had long called foul during the polling process and blamed incumbent regimes for spoiling the free and fair electoral process, the events of 2012 shifted the democratisation process altogether. In December 2012, the advanced electoral fraud scheme perpetuated by the major parties was made public by one of their own, Sarah Adwoa Safo, a 30-year-old lawyer and the NPP parliamentary candidate in the Dome Kwabenya constituency. The NPP party agents claimed that several thousand votes were subtracted from Adwoa’s vote tallies through transposition. This was the single most important incident that prompted the leadership of the NPP to order a re-tallying and recollection of votes declared in NDC strongholds, especially in the Volta region. The NPP was convinced it lost the elections because of several irregularities.<sup>5</sup> The NPP petitioned the SC to annul the declared presidential polls on the following grounds: “duplicate serial numbers,”

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5 The NPP conducted its own research by gathering the Statement of Polls and Declaration of Results Forms, called “pink sheets.”

“over-voting,” “voting without biometric verification,” “duplicate polling station code,” “unknown polling stations,” and “no signature of presiding officer” (Republic of Ghana 2013). In this way, the dispute with the tally of the parliamentary election result in one constituency was a trigger for the nationwide re-collation of results.

The presidential petition hearing was broadcasted live on national TV for eight months, providing new avenues of citizen participation for ordinary Ghanaians. New information and engagement contributed to greater democratic learning among the population. Staging a public dialogue provided an important arena for accountability and transparency. The revelations in court convinced many people that the EC and the country’s electoral system needed overhauling. Justice Jones Dotse blamed the EC chair for abdicating his supervisory role, stating in his scathing judgement,

Bearing in mind the wealth of experience [Electoral Commissioner] Dr. Afari-Gyan should have gained since 1993, I am of the considered view that he cannot entirely escape blame for the many infractions of the Returning Officers, Presiding Officers and their assistants and to some extent their printers. (Republic of Ghana 2013: 421)<sup>6</sup>

In line with our theory of democratic rupture, prominent Ghanaians called for electoral reforms. Kofi Annan, the former UN secretary general, said,

This success must not blind us to the flaws in our electoral system that the judicial review has brought to light. All concerned need to work energetically to ensure that these flaws are addressed through the necessary institutional reforms. (See *Myjoyonline.com* 2016a)

Consequently, the EC invited proposals for reforms from registered political parties and civil society organisations (see Gyampo 2017). Meanwhile, after 22 years at the helm, Afari-Gyan retired in 2015. The search for his replacement divided the political parties. In June 2015, President Mahama appointed Charlotte Kesson-Smith Osei chair of the Electoral Commission.

Reforming the country’s electoral system and rebuilding the reputation of the EC was at the top of the new chair’s agenda. The EC tasked a Special Reform Committee made up of representatives of the political parties, governance institutions, and civil society organisations to synthesise the various reforms proposed by the Supreme Court and the

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6 Dr. Afari-Gyan served as chairman/head of the Electoral Commission of Ghana from 1993 to 2015.

political parties. The committee submitted 27 reforms for implementation. The EC accepted and implemented 24 recommendations, saying it “aimed at improving the transparency, inclusiveness and credibility of the upcoming Presidential and Parliamentary elections” (EC 2016b).

One of the most important reforms ordered that the work of election officers be legally binding for all officials taking part in the election. The contentious issue of “pink sheets” without serial numbers – the grounds on which the NPP disputed the election – was addressed. The EC stated that it would serially number the Statement of Polls and Declaration of Results Forms. The EC also agreed to set up a National Collation Centre that would be accessible to the media to demystify its “strong room.”<sup>7</sup> Furthermore, the EC was required by law to give a copy of the final certified register to the registered political parties at least 21 days before the election. At a meeting with the Inter-Party Advisory Committee (IPAC) held on 12 July 2016, the EC agreed to publish a list of all polling stations with their codes and locations three weeks before the elections. More importantly, the EC mandated its returning officers to give copies of proxy, special, and absent voter lists to candidates and parties, and returning officers were required to issue copies of collation sheets to candidates or their agents.

However, a constitutional amendment bill sought to hold the elections a month early. In a secret vote, only 125 MPs voted for the change. Those who voted against the amendment claimed the EC was not adequately prepared to hold the elections in November (see *Myjoyonline.com* 2016b). In our interviews, several MPs said that the political rationale for the rejection was that the incumbent NDC wanted to buy time for the fruition of its projects under construction. One explained, “We need tangible evidence to campaign on, and many of our projects are still under construction” (interview, an NDC MP, Accra, 15 August 2016). Alternatively, an opposition politician said,

We want to expose more acts of corruption, incompetence of the Mahama administration and also extend the suffering of the Ghanaian people until December. It will be a coronation for the NPP in December. (Interview, an NPP parliamentary aspirant, Kumasi, 25 August 2016)

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7 The “strong room” is a room within the headquarters of the Electoral Commission, where certified representatives of the contesting political parties meet to verify election results before they are published by the EC. The voting public perceived the strong room as a place where election results from the regions were manipulated in favour of a political party, usually the incumbent. This perception undermined the credibility of the EC.

## Political Party Realignment

### Putting Their Houses in Order: Opposition Party Campaign Organisation

The decision of the electoral petition on 29 August 2013 changed the trajectory of election campaigns in Ghana. In a 5–4 ruling, Ghana’s SC dismissed the petition filed by the NPP that had challenged the validity of the 2012 presidential election (Republic of Ghana 2013). Nonetheless, a justice underscores the importance of the petition: “After this case, elections in Ghana will not be the same” (quoted in Akufo-Addo statement after the verdict of the SC on 29 August 2013).

The NDC and President John Mahama instantly enjoyed the legitimacy that the ruling conferred. But in terms of electoral reforms and future political capital, the NPP benefitted the most. Akufo-Addo’s speech expressing his acceptance of the SC ruling was widely circulated through TV and media. His mature democratic behaviour changed the perception many Ghanaians had of him. He enhanced his reputation as a statesman and one who was willing to sacrifice his political ambitions for the good of the country. His popularity soared, as evidenced by his success in the 2014 presidential primaries, where he won more than 60 per cent support in each of the 275 constituencies across the country.

While the NDC governed, the opposition started campaigning for the next election. The political settlement where the winner monopolises all state power fuels even greater perpetual campaigning (Abdulai and Hickey 2016). In January 2014, the NPP started its internal reorganisation with the election of polling station and constituency executives in all 275 constituencies. It then elected ten regional executives. Many of the old executives lost their positions. In their place, a cadre of young and successful businessmen and other professionals were elected into positions to reorganise the party for the 2016 elections. For example, in the NPP’s stronghold in the Ashanti region, 32-year-old Bernard Antwi-Boasiako defeated former MP Osei Prempeh (*Graphic Online* 2014).<sup>8</sup> In the Western region, Kofi Atta Dickson Nketia, the owner of a pharmaceutical company, defeated the incumbent Nana Owusu Ankomah (*Graphic Online* 2014). In April 2014, the momentum continued to the level of national executives. Dissatisfied with the performance of incumbent executives, the party grassroots voted for change. All but the

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8 This is despite the fact that he is a controversial politician who is mired in claims of involvement in illegal gold mining.



National Women's organiser, Otiko Afisah Djaba, lost their positions to younger partisans.

On 18 October 2014, voting for the NPP's 2016 presidential nominee took place simultaneously in all 275 constituencies across the country. The party's grassroots preferred Akufo-Addo, while its aristocratic wing supported Alan Kyerematen, replaying the 2007 and 2010 primary contests.<sup>9</sup> But internal party reforms had significant repercussions for the race. The party expanded the Electoral College, giving the grassroots more power to decide the party's presidential nominee.<sup>10</sup> As one of the key architects of the reforms to expand the Electoral College from 2,400 electorates to over 120,000 electorates, Akufo-Addo reaped the benefits: he polled 117,413 votes (94.35 per cent) to emerge victorious.<sup>11</sup> Akufo-Addo quickly confirmed Dr. Mahamudu Bawumia as the party's VP nominee. Bawumia, a former deputy governor of the Central Bank, hails from the Northern Region, one of the strongholds of the NDC.

The NPP had its full campaign machine assembled more than a year before the general elections. While this reorganisation hypothetically could have occurred without the electoral petition, the timing in the immediate aftermath of the petition suggests that the party reorganisation was a direct result of the electoral petition defeat. In this way, the democratic rupture contributed to important opposition party realignment that would set the stage for its victory in the 2016 election.

## Office Seekers: Political Parties, Candidates, and Campaign Launches

In August 2016, the NDC launched its campaign in the important swing region of Cape Coast. The newly constructed Cape Coast sports stadium was the venue, signalling that the NDC would base its campaign on infrastructural developments. President Mahama announced his running mate, Paa Kwesi Amisah-Arthur, as well as the party's national campaign team and the parliamentary candidates. Speakers used the campaign theme "Changing Lives, Transforming Ghana" to extol the achievements of the Mahama administration.

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9 Both candidates enjoyed support from elites. However, within the factional politics in the NPP, Kyerematen is Asante and close to the Kufuor faction, which is considered the aristocratic wing of the party.

10 See Ichino and Nathan (2016) for a discussion of the effects of voter rules in Ghana's primary elections.

11 His challenger, Alan Kyerematen, secured 15,908 votes (4.75 per cent).

Ayee finds that the “electoral successes and failures of the NDC and NPP may be linked to their manifestos” (Ayee 2016a: 107). In September 2016, the NDC unveiled its manifesto in one of the crucial swing regions, Brong-Ahafo region. The 78-page document catalogued the NDC’s achievements (NDC 2016). The NDC’s manifesto promised more social welfare programmes and expansion of infrastructure across the country. The party produced vivid pictorial images of its achievements in the various sectors: health, agriculture, the economy, road and transportation, and education, among others (NDC 2016). The NDC compared its four-year record in office to the eight years of the Kufuor administration, and claimed that it had outperformed the NPP.

As an opposition party, the NPP faced different challenges. Lacking funds, the NPP launched its national campaign and manifesto “Change: An Agenda for Jobs.” The 192-page document listed the challenges the country faced and proposed solutions. The manifesto proposed a radical transformation of the national economy, with job creation on the top of its agenda. Its flagship policy of “one dam, one village” and “one district, one factory” promised to improve agricultural production in the northern savannah and also to give jobs to unemployed youth.

Akufo-Addo captured the central theme of his party campaign when he said,

My vision for Ghana is of an optimistic, self-confident and prosperous nation with a strong and thriving democratic society in which mutual trust and economic opportunities exist for all, irrespective of their background. (NPP Manifesto Launch, 10 October 2016)<sup>12</sup>

Bolstered by the legitimacy provided by the candidate’s role in the electoral petition, a broad portion of the citizenry now viewed Akufo-Addo as a candidate who would consider the needs of the country as a whole.

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12 The NPP implements policies that might not be expected from a centre-right, self-espoused “property-owning party,” including the national health insurance and free secondary education programmes. However, it always tries to differentiate itself from the NDC by emphasising its ideological position as the party of the centre-right.

## New Avenues of Citizen Participation

### Political Party Vigilance

The 2012 presidential election petition served as the democratic rupture that opened up political space for the opposition. In terms of electoral gains, the reforms recommended by the court favoured the opposition NPP.<sup>13</sup> Indeed, the challenge itself was without precedent. The live broadcast of the court proceedings likely had a major impact on all stakeholders. President Akufo-Addo acknowledged the role played by the former chief justice of the Supreme Court, Georgina Wood, at a state dinner in her honour when he said,

Her decision to broadcast proceedings of the celebrated election petition [...] was an important moment in our country's political evolution. It exposed the vagaries of our electoral system and compelled greater vigilance on the part of activists of my party which undoubtedly helped us to achieve the famous victory in December 2016. (Speech by Akufo-Addo, Accra, 14 July 2017)

In addition, the 2016 election appeared more issue-based than previous polls, suggesting the deepening of democratic attitudes of the citizenry. The NPP set the agenda for an issue-based campaign with the release of several major policy statements. Public vigilance and civil society organisations' involvement pushed candidates and parties to stop using propaganda and invectives. Instead, the electorate demanded substance and more details of the parties' proposed programmes. The Ghana Center for Democratic Development's pre-election survey identified the state of roads, electricity provision, the price of basic goods, and perceptions of corruption as the most important issues for voters in the election (CDD-Ghana 2016a).

The NDC maintained its core base (about 44 per cent) but lost the votes of the floating voters and independents to the NPP's presidential candidate.<sup>14</sup> The NDC lost several "safe" parliamentary seats to NPP

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13 Twenty-seven reforms the EC committee implemented came from the SC ruling. All 27 reforms were implemented, including declaration of results at the polling station, serial numbers on all the statements of polls, signature of agents and presiding officers, and many other reforms that promoted vigilance during the voting-tabulation process.

14 The votes in most of the NDC's strongholds did not decline. Rather, the Volta region vote likely declined because of the NPP strategy to stop cross-border voting. Pollster Ben Ephson estimates that the floating voters/independents constitute 5–8 per cent of the voting public. Consequently, there is suggestive

candidates, likely because of its imposition of candidates against the preferences of people at the grassroots.<sup>15</sup> For example, this is best captured in the voices of two defeated ministers. The interior minister and NDC parliamentary candidate for the Navrongo Central constituency claimed, “I did not want to contest the seat again in the first place this year but there was pressure on me from the party” (see *Ultimatefm-online.com* 2016a). Another defeated NDC parliamentary candidate for Sissala West constituency was reported to have said,

I did not want to contest the seat in the first place, but there was pressure on me from the party. That is how come I contested.  
(See *Ultimatefm-online.com* 2016b)

For the first time in the Fourth Republic, the NPP gained more seats in the northern savannah belt, an erstwhile NDC stronghold. The NPP won five seats in the Upper West region (Sissala East, Sissala West, Wa East, Lawra, and Nandom). We attribute this problem to how the parliamentary primaries were conducted, angering the people at the grassroots (Daddieh and Bob-Milliar 2012). Though we cannot directly prove causality, the electoral petition served as a democratic rupture because it directly contributed to citizen vigilance and opposition party realignment, which contributed to the NPP’s victory in 2016.

Politicians from the diaspora typically enjoy the endorsement of national party executives to the disadvantage of “local boys and girls.” In the parliamentary primaries for the Nandom constituency, for example, the NDC party bosses endorsed Richard Kuuire, a man with a distinguished career in international diplomacy. The grassroots candidate was the incumbent district chief executive, Cuthbert Baba Kuupiel. However, he could not match the well-funded campaign of the former UN officer and lost the party primaries. While Kuuire’s opponent, Ambrose Dery of the NPP, was a household name in the district, Kuuire was relatively unknown to the people on the ground. A similar situation played out in the adjacent Lawra constituency, another NDC safe seat. Many aggrieved and defeated “local boys” expressed their dissatisfaction by becoming independent. The NDC candidates split their votes, allowing the NPP to emerge victorious.

The state of the Ghanaian economy was one of the most important issues in the election. Persistent economic challenges of high youth un-

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evidence that the independents punished Mahama. In addition, internal party disputes in some areas contributed to the NPP victory in those areas.

15 We provide evidence of this from Nandom, Sissala West, and Navrongo Central constituencies below.

employment, power cuts, inflation, and unsustainable debt levels dominated the campaign. Voters sought a leader who could be trusted to manage the economy and spur employment, and this worked to the NPP's favour. More than 70 per cent of Ghanaians believed the economy was headed in the wrong direction (CDD-Ghana 2016a). The price of basic goods increased: the monthly Consumer Price Index (CPI) showed fluctuation in the year-on-year inflation rate on the price level of goods and services that households consume.

Similarly, services were unreliable but very expensive for the ordinary Ghanaian. Ghanaians enjoy subsidies on a variety of services such as petroleum products, water, and electricity. Acute power cuts paralysed economic activities. The country endured a 24-hour-off-12-hours-on "load shedding." In addition, in 2015 the government imposed energy sector levies and taxes, causing great discomfort to the public (see *Myjoyonline.com* 2016b). Ghanaians pay a lower electricity tariff than their neighbours (MacLean et al. 2016). The Electricity Company of Ghana installed a new billing software, severely hurting household budgets. The installation of what Ghanaians termed "Usain Bolt" prepaid meters worsened the situation. The NPP presidential nominee politicised the situation when he claimed, "Can you believe that today in Ghana, for the ordinary Ghanaian, the cost of electricity is more than the cost of their rent?" (Akufo-Addo 2016).

The International Monetary Fund (IMF) statistics claim the country's growth rate dropped from 14 per cent in 2011 to 3.9 per cent in 2015. The NDC administration claimed that the implementation of the new Single Spine Pay Policy for public sector workers in 2010 caused the growth problems (Aye 2016b). However, fluctuations in the global economy contributed to new problems. For example, the collapse of export commodity prices on the world market put pressure on the country's tax revenue.<sup>16</sup> With few available options, the Mahama administration was forced to open negotiations with the IMF for a three-year stabilisation programme. The NPP interpreted the deal with the IMF as a sign of bad management. They claimed the Kufuor administration had been able to wane Ghana off of the IMF's inhumane policies even without the benefit of oil revenue.

While it is possible to attribute the NPP's victory to the state of the economy or to anger at corruption, these structural conditions have not been enough to defeat incumbent presidents in the past. These structural

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16 According to the Ghana Chamber of Mines, in 2014 revenues from gold mining fell 17.4 per cent from 2013, to USD 3.8 billion.

factors are not directly attributable to the democratic rupture, but they take on new meaning in the broader political context of an empowered opposition. In other words, the political opening provided by the democratic rupture enabled the NPP to gain a voice in matters of the economy, allowing them to enter the decision-making arena as a viable actor. Through this process, they were able to mobilise new supporters, who had seemed unattainable in previous electoral cycles.

## Mobilising New Supporters

The Mahama administration struggled to address unemployment. The NPP's campaign directive to "assess your current situation and vote for change" resonated with many unemployed youth. It is plausible to argue that many of the one million newly registered voters voted for the NPP (Ali, personal communication, 15 December 2016).<sup>17</sup> The emerging Ghanaian political culture of "two terms and you're out" coupled with voting dynamics in swing regions also contributed to the NPP's victory (see Table 2 below). Since 1992, Ghanaians have developed a propensity to vote out governments after two terms (Daddieh 2011). The general feeling is that while one term may be too short a time for a ruling party to demonstrate what it is capable of doing for the country, two terms is long enough. At that point, failure to perform satisfactorily can no longer be justified. The Mahama administration tried very hard to distance itself from the Mills administration (2008–2012). The NPP, on the other hand, noted that the party had its eight-year term: "You have been in high office for eight solid years – four years as vice president, four years as president," and that it was therefore time for a change (see *Classfm-online.com* 2016).

Presidential party tickets are often constructed to gain support among specific regional populations. In 2012, when Vice President Mahama (from the Northern Region) took over as president after the death of John Atta Mills (from the Central Region), Mahama selected a relatively unknown Central Bank governor, Paa Kwesi Amisshah-Arthur, as his running mate. The selection of a running mate from the late president's home region paid homage to his memory and consolidated Mahama's support in the important swing region. That Mahama's wife is from Jema-Ampoma in the Nkoranza District of the Brong-Ahafo region also paid electoral dividends. However, localised issues in some of

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17 Pre-election surveys and focus group discussions showed that first-time voters were most likely to cast a vote for the opposition – roughly 7 out of 10. The reason cited is future employment prospects (CDD-Ghana 2016a).

these swing regions made it difficult for the NDC to win votes in the 2016 elections. For example, many residents of the Brong-Ahafo region lost their investments after the DKM Microfinance, God Is Love, and Jastor Motors financial institutions collapsed.<sup>18</sup> Nonetheless, the opposition politicised the issue (see, *Citifmonline.com* 2016).

Table 2. Presidential Polls in Swing Regions, 2000–2016 (in %)

Region	2000	2000 r/o	2004	2008	2008 r/o	2012	2016
Brong-Ahafo	NPP 51	NPP 60	NPP 52	NPP 51	NDC 51	NDC 51	NPP 54
Central	NPP 50	NPP 60	NPP 59	NDC 51	NDC 54	NDC 52	NPP 53
Greater Accra	NPP 53	NPP 60	NPP 52	NDC 52	NDC 54	NDC 52	NPP 52
Western	NPP 49	NPP 62	NPP 58	NPP 50	NDC 52	NDC 54	NPP 52

Source: EC 2018.

Note: r/o – run-off election.

Akufo-Addo’s selection of Bawumia paid off, as the NPP gained more votes in the north than it had won in 2012 (see Table 1). In 2008 Bawumia was seen as an outsider. The 2012 democratic rupture helped Bawumia gain power and publicity. Indeed, he earned his place in the party after the election petition, in which he was the star witness. The supposedly submissive and humble Bawumia complemented the NPP’s ticket. Additionally, his sharp intellect, strong command of issues, and forceful responses during the litigation endeared him to many Ghanaians. He became the NPP campaign’s leading voice on the economy and economic policy.

The electoral petition provided a new space for Akufo-Addo and Bawumia to convince Ghanaians that they could stabilise the economy and govern the country effectively. Compared to previous campaigns, Bawumia was more visible than the NDC’s Amissah-Arthur. He even challenged the sitting VP to a debate on the economy. Added to the “Bawumia factor” was his 36-year-old wife, who canvassed for votes among Muslim communities across the country. More significantly, the NPP introduced the Zongo Development Fund, which promised Muslims living in urban slums better opportunities for jobs and development.

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18 The lack of supervision on the part of the Central Bank allowed the scam to go on unnoticed.

The youthful couple had cross-party appeal, which attracted independent votes.

Party organisation and campaign messages also contributed to the opposition victory. The NDC's achievements were summed up in giant billboards dotted across the urban landscape. But these infrastructural development politics, or "project politics," were abstract to many ordinary Ghanaians. As a consequence, the NDC created a vacuum when it failed to both communicate the importance of the infrastructure it constructed across the country and describe where the youth would fit into the country's transformation. The NPP capitalised on the poor communication machinery of the NDC and engaged in populism. It spoke the language of the street by posing the question, "Do we eat bridges, roads and airports?"

In contrast, the NPP learnt lessons from its 2012 defeat and the experience at the Supreme Court. As a consequence, it constructed a solid party organisation to drive its campaign. The party had a decentralised campaign strategy and focused on each constituency, delivering a campaign message that was tied to local issues (e.g. "one village, one dam" in the northern savannah). Party activists organised mini rallies and invited the presidential nominee to talk, improving personal linkages to the grassroots. Former MPs and party activists were given formal training on how to deliver the party message using the door-to-door campaign strategy. The localised campaign strategy saw regional executives employing legitimate and unorthodox schemes to mobilise voters. For example, in the NDC stronghold in the Volta region, the NPP strategy codenamed "Vigilance and Reduction" deployed party activists to prevent Ghanaians who live in Togo from coming to vote.<sup>19</sup> The party succeeded in suppressing the NDC votes in the Volta region (see Table 1 above).

The NPP also invested heavily in information and communication technologies to monitor the transmission of election results. It recruited and trained personnel to work the polling stations. The NPP hired the services of Joseph Anokye, a telecommunications engineering service manager at NASA. Anokye in turn, requested two technologically literate members from each of the 275 constituencies. A comprehensive data system was set up linking all the 275 constituencies. The NPP was able to collate the results in real time at their collation centres, helping to prevent voter fraud.

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19 This is similar to the exclusive campaign strategies documented in Klaus and Paller (2017) in Greater Accra.



Ghana's strong executive presidential system typically benefits the party in government. At the same time, executive power can undermine incumbents during campaigns. The president is blamed for all economic and social challenges facing the country, and the opposition is quick to politicise the president's unpopular decisions. For example, the Mahama administration's decision to accept two Yemenis freed from Guantanamo Bay polarised the country. The NPP, civil society organisations, and even the Catholic Church condemned the decision, arguing that the men were a security threat, damaging the NDC's electoral fortunes.

Furthermore, the NPP accused the NDC of abusing its incumbency. For example, in June 2016, panelists on a private radio station in Accra with links to the NDC made offensive pronouncements about the chief justice and other justices of the SC. The host of the radio programme and his two panelists were charged with criminal contempt and jailed for four months. Against the counsel of his lawyer, the president pardoned the so-called "Montie three" and they were freed from jail after one month. The president's act was seen as the executive interfering in the work of the judiciary, with one civil society organisation saying it amounted to "the most vulgar misuse of executive power."<sup>20</sup> The anger that followed President Mahama's actions likely impacted independent voters. In the past, blaming the incumbent candidate was not an effective campaign strategy. But after the 2012 electoral petition, this strategy offered new opportunities for the opposition to be seen as the "democratic" party, in contrast to the incumbent, which had more authoritarian tendencies, providing a significant shift in the logic of rule.

A number of scholars have noted the burgeoning middle class in African countries (e.g. Nathan 2016). Hamidu (2015) shows how returnee diasporas – members of the growing middle class – participate in Ghanaian politics. In 2014 a group calling itself "Concerned Ghanaians for Responsible Governance" (CGRG) launched in Accra. It organised the demonstration called #OccupyFlagstaffHouse. The movement used social media sites to recruit members and spread information to the public, demanding transparency in state affairs. These activities used social media to galvanise the growing middle class, providing an avenue of critique against the NDC government's policies. In addition, many of these individuals were drawn into politics to work on the electoral petition. The electoral petition provided a new avenue for the emerging middle class and diasporans who had recently returned to the country to get engaged in electoral politics.

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20 See CDD-Ghana (2016b) Statement on the Montie Case.

Against the backdrop of the harsh economic conditions and corruption, the NDC government was unpopular in the lead up to the 2016 polls. But the 2012 election petition served as the crucial democratic rupture that opened new avenues of citizen participation and led to important realignments in the opposition party that expanded the latter's political support. In the end, experts describe the incumbent's defeat as "monumental," "humiliating," and "without precedent" (Gyampo, Graham, and Yobo 2017; Rawlings 2016). For the opposition, the victory has been described as "historic." The electoral petition goes a long way towards explaining the opposition victory, suggesting how a democratic rupture can be an important mechanism in the democratisation-by-elections framework.

## Conclusion

Even though democratic backsliding threatens African countries, and some authoritarian characteristics were apparent in the lead up to Ghana's 2016 election, the conditions to sustain Ghana's democratisation were present. We find support for Lindberg's democratisation-by-elections thesis. The reiteration of multiparty elections in Ghana since 1992 has led to an improvement in the electoral system and to the consolidation of a democratic political culture.

However, democratisation is not a linear process. Instead, we suggest that democratic ruptures are important mechanisms in the process of democratic deepening, yet they are typically left out of statistical models. We suggest that democratic ruptures are important additions to the democratisation-by-elections framework. The most significant democratic rupture in Ghana's electoral process was the presidential election challenge in 2012, mounted by the losing opposition party. The presidential election petition took Ghana into uncharted territory as far as the conduct of electoral politics is concerned. It opened both new avenues of political participation for citizens and political space for the opposition party to realign and strengthen its support.

Indeed, while the 2012 election was judged to be generally free and fair, the petitioners' case highlighted several previously unexamined practices and procedures including voter registration, biometric voting, vote counting, collation and transmission, the role of polling agents, and the legal treatment of *agents provocateurs*, including ballot-box snatchers. The outcome of the litigation compelled the parties – especially the NPP – to be vigilant at the polling stations. It also led to a more critical electorate, enhancing the potential for democratic accountability. The SC case con-

tributed to widespread democratic learning, as well as wide-ranging electoral reforms. In the end, it contributed to a landslide victory for the opposition.

Our argument offers several lessons for other African countries, especially those with strong incumbent leaders and parties, centralised state apparatuses that fuel political clientelism, and high levels of party competition. These include – but are not limited to – Kenya, Côte d'Ivoire, Sierra Leone, Liberia, Senegal, Zambia, Zimbabwe, Uganda, and South Africa. Democratic ruptures can have positive and negative consequences. The Ghanaian case we analyse in this paper is an example of when democratic ruptures contribute to political development. The Kenyan Supreme Court's annulment of the August 2017 presidential election could also be considered a democratic rupture. However, the lack of institutional reforms undermined the confidence of the political elites and its citizens, and the impact on Kenya's political development is still unknown. Therefore, the different institutional environments where democratic ruptures occur will inform their resolution and their consequences.

First, repetitive elections contribute to the deepening of democracy and to the entrenchment of a democratic culture. But democratic ruptures, in the form of challenging electoral results using institutional means, can lead to further democratic consolidation. Second, democratic ruptures are different than mass protests in the streets. Electoral institutions are strengthened if the institutional process is public and transparent, and citizens are educated on the decision-making process. Additionally, opposition politicians can gain politically – and later electorally – if they follow the legal procedures and accept the decisions of the court. Third, the impact of democratic ruptures on the grassroots is crucial. The reorganisation and alignment of political parties, and the decisions they make during their electoral campaigns can help overcome structural constraints parties might face. This is especially important for opposition parties. Democratic ruptures can open new political space for politicians not affiliated with the ruling party.

Ghana's democracy was subjected to its most exacting test yet during the 2016 general elections. The democratisation-by-elections framework helps explain why the country overcame serious obstacles to hold another free, fair, and credible poll. But the framework – as well as existing theoretical explanations – is limited in explaining both how the opposition won in such an overwhelming fashion and the crucial reforms that contributed to the successful polls. By examining the democratic rupture in the electoral process, we are able to show im-

portant dynamics at the grassroots that occur between polling periods, and how they contribute to the deepening of democracy.

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## **Demokratische Brüche und Wahlergebnisse in Afrika: Ghanas Wahl im Jahr 2016**

**Zusammenfassung:** Sich periodisch wiederholende Wahlen sind wichtige Maßstäbe für die Beurteilung von afrikanischen Demokratien. Doch die Prozesse, durch die Wahlen eine demokratische Kultur verankern, bleiben zu wenig erforscht. Wir führen einen wichtigen Mechanismus ein, den wir als demokratischen Bruch bezeichnen: Eine Verletzung des Demokratisierungsprozesses während der Wahlen, die zu einer Verfassungskrise führen könnte. Diese eröffnet einen neuen Weg der Bürgerbeteiligung außerhalb der Wahlen und des politischen Raums für die Neuausrichtung der Opposition und stärkt deren Unterstützung. Am Beispiel der Präsidentschaftswahl in Ghana 2012 zeigen wir, wie der erfolgte demokratische Bruch der Opposition ihre politische Entwicklung ermöglicht und dieser 2016 zum Sieg verholfen hat. Erstens wurden Schwachstellen im Wahlsystem aufgedeckt, die zu Forderungen nach Wahlreformen führten. Zweitens förderte er eine im Wahlprozess besser geschulte Bürgerbeteiligung. Drittens lehrte er politischen Parteien, dass Wachsamkeit in den Wahllokalen zu Wahlgewinnen führen kann. Der Artikel liefert eine kritische Analyse der Faktoren, die insbesondere in Fällen, in denen Oppositionsparteien etablierte Politiker besiegen, die demokratische Entwicklung prägen.

**Schlagwörter:** Ghana, demokratischer Bruch, Demokratisierung, wiederholende Wahlen, Mehrparteien