
Political Transitions, Electoral Mobilization, and State Institutions¹

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Introduction

In November-December of 1992 Ghanaians went to the polls to elect a new government to climax their struggle to live no longer under a military regime but under a democratically elected government. Since then the country has undergone a democratic transition every four years. In practical terms the transitions have entailed the transfer of political and administrative power from one group of political elite to another either within the same political party or of another political party. Following the 1996 and 2004 elections the political transition occurred within the incumbent political party – the National Democratic Congress (NDC) and the New Patriotic Party (NPP), respectively. However the 2000 and 2008 elections resulted in a change of government from the NDC to the NPP, and from the NPP to the NDC, respectively. This chapter dwells on the second instance of political transition. Despite the formal change of government the practicalities of political transitions to date have exposed informal and unwritten dimensions which threaten the stability of the nation- state. First the election that ushers in political transitions has created a nation of winners and losers. In particular for the winners an election has meant opportunities for them to emerge as a new ruling elite – a group of new political actors and their political allies that enjoy almost untrammelled access to political power and wealth. For the losers on the other hand an election means a fall from power and loss of access to wealth and privileges associated with public office. In effect, an election – especially transition elections² – is an opportunity for a faction of the

political class to win state/political power in order to gain unqualified access to the wealth of the nation.

On the whole, political transitions have always become moments for some groups to jubilate and others to grieve. They open old cleavages and create new ones, and in so doing divide society along multiple fault lines, leading to conflict as well as intense and desperate rivalry in the political arena. Transitions have also engendered tension and uncertainty, and raised questions about individual as well as group survival, identity and national cohesion. The fear, insecurity and anguish that transitions have generated at the personal level impact adversely on state institutions and diminish the latter's capacity to discharge their governance responsibilities effectively. In short, political transitions in Ghana since 1992 have turned out to be conflictual; because the ultimate prize at stake is the control of state power and wealth, the protagonists engage in intense political competition to a point that threatens the capacity of state institutions, national stability and security.

In what follows I first examine the key features of Ghana's democratic transitions. This is followed by an analysis of how the intense political competition that has characterized political transitions since the return to democratic rule has impacted adversely on the capacity and stability of the state, and on national cohesion.

Transition Politics: Politics Without Rules

Normally electoral mobilization for the citizens' mandate to govern should follow the quadrennial election cycle stipulated in the 1992 Constitution. On the contrary Ghanaian politics has been characterized by permanent mobilization of the electorate, especially by leaders of the defeated political party, immediately the presidential election results have been declared. Permanent electoral mobilization is most pronounced during periods immediately following the end of transition elections. At the end of transition elections the political party of the defeated presidential candidate immediately embarks on a project of permanent criticism and agitation against the newly elected government with the aim of discrediting it and delegitimizing its mandate to govern. The intensification of electoral mobilization compels the new government to contest the adversarial politics of the defeated political party. Quite often this contestation drags on, with rising crescendo, as the nation moves closer to the next elections - as was the case in 2012. In this intensely contested political environment the new government is unable to immediately grapple with the imperatives of governing for the good of the nation.

Since 1992 the country has gone through two transition elections - in 2000 and 2008. Those two elections involved the transfer of political and administrative power between the political elites of the NDC and those of the NPP in 2000/2001 and 2008/2009. However, contrary to the present situation when Parliament

recently enacted the *Presidential (Transition) Act 2012, Act 845*³ the country had not legislated agreed rules and procedures to manage the formal transfer of power. The existing institutional vacuum enabled the competing elites to determine their own rules for managing the transition process claiming to ensure political stability and firm control of state power from the outgoing political elite. The democratic electoral system of winner-takes-all provides a powerful justification for the appropriation of state power and the associated material resources by the in-coming political elite against any presumed right by the outgoing political elite to contest that claim.

The actual transition process can only be described as transition without rules. Here is what happened. After the transition elections of 2000 and 2008 the transition teams of the outgoing government and the incoming government were set up on the spur of the moment. In the heat of the moment the representatives of the two rival political parties faced each other to try and jointly manage the process, first to lay down the modalities to guide the process and second to implement it. In reality they met to contest each other's claim to the state apparatus⁴ and state assets. In the 2000/2001 transition the two teams first met on 1 January, 2001 which gave them barely one week to manage the very sensitive and intricate process of formally handing over state power to administer the country to the incoming government on 7 January 2001.⁵ The situation in 2008/2009 was not different.

Bringing the representatives of the two rival political parties face to face and expecting them to consummate a process in which both of them had a huge stake was a recipe for open hostility and acrimonious exchanges. In the absence of settled rules and procedures for regulating the process each transition team determined its own rules to guide the process. This was compounded by the limited time available for the outgoing government to hand over the administration of the nation to the new government. The result was the acrimonious exchanges that characterized each transition process. In 2008 the incumbent NPP government had made some preliminary transition arrangements,⁶ but those preparations were considered by the in-coming government to be partisan, lacking the essential attributes of neutrality, in particular, consensus. Those arrangements could therefore not be considered binding on the transition team of the President-elect. Especially as both the defeated presidential candidates in the 2000 and 2008 transition elections⁷ disputed the victory of the other candidate, each transition team approached the process from a hostile position.

Because the transition elections had settled the question of which rival political elite was entitled to exercise state power, as per the constitution, the controversy between the two contending political elites took the form of intense dispute over the stock of state assets – including lands, houses and cars; who gets what, from what stock and under what conditions. There was also dispute over the state of

the economy: the rate of inflation in the economy, the size of the national debt and its ratio to the GDP, etc. Indeed the transition process was nothing more than a dispute over the size of the wealth of the nation and who had pre-eminent right to control it.

The tension, insecurity, and anxiety generated by the transition politics affected both the political elite of the outgoing government and people in senior administrative and executive positions. During the two transition periods the incoming government issued directives requesting outgoing ministers of state and other political appointees and functionaries to vacate government/state-owned houses that had been assigned to them for official use, and also return specified official vehicles which were in their custody. The enforcement of such directives often dragged into the first few months of the tenure of the new government as some personnel of the outgoing government challenged or defied the directive. In several instances the new government found it expedient to deploy personnel of the state security agencies to enforce compliance.

There were other sources of recrimination and anxiety within the ranks of the feuding political elites, such as the retention, redeployment or retrenchment of public officers who were regarded as political appointees, including those engaged in the country's diplomatic missions abroad. The new government's policy affected the heads of a wide range of state institutions such as the civil service (e.g., Chief Directors and Directors), public corporations (engaged in production, and service delivery), educational institutions, district assemblies, governing councils of public boards and corporations, the Council of State and the Bank of Ghana. The governing councils and officers of the security and quasi security agencies are also reconstituted. Between May and July 2009 the President made about 272 new appointments to the governing boards/councils of not less than 60 state/public bodies. A number of such new appointments were made about 3 months after the President had issued a directive dissolving the previous governing boards/councils. Effectively, such changes in the top hierarchy of the public service would leave the affected institutions in a state of uncertainty and paralysis as they waited for the vacancies to be filled and for new policy direction.

At the individual level the transition politics manifested itself as a sense of loss, fear and insecurity among politicians and political appointees, public sector administrators and their relations. Some of the affected persons might have occupied key decision-making positions at various levels of state and quasi-state institutions; others may remain in their current official positions but would be weighed down by a sense of uncertainty and fear. Invariably personal responses to the tense transition situation impacted adversely on state institutions in various ways – either as institutional weakness or as institutional paralysis. Such impacts were transmitted as actions or inactions of the individual agents of state who occupied key positions in the state machinery – e.g., the judiciary, the civil

service, public corporations, the security agencies and other state and quasi-state institutions – with serious national security implications.

The tension, uncertainty about one's position or the direction of public policy under the incoming government, the fear of redeployment, retrenchment or fear of prosecution, cumulatively affected the morale, disposition and commitment to work on the part of people operating in the institutions of state. Similarly, uncertainty about policy direction of the new government, including policies and attitude towards the private sector, especially with regard to macro-economic management policy, the state's fiscal matters, as well as the management of existing contracts, including payment of arrears owed to private sector companies and to its debtors affected more or less the capacity of private sector corporate entities to do business.

Electoral Mobilization

Transition politics, which manifests itself immediately as the struggle to control the wealth of the nation, inaugurates the next phase of the transition process which is electoral mobilization towards the coming elections. It is launched by the political party that has lost the immediate past elections with the resolve to reverse its fortunes in the next elections. The victorious political party responds immediately with similar tactics. In such a highly adversarial political environment, electoral mobilization by both the ruling and opposition political parties is scarcely driven by a set of policy alternatives. Rather each of the contending political parties mobilizes primordial identities such as tribe/ethnicity and region rather than ideas and policies. Where a region is dominated by a single tribal or ethnic group, the entire region becomes the focus of electoral mobilization. The mobilization of ethnic identities is crucial for the two main contending political parties because increasingly the tribe or ethnic group has become a salient factor in electoral politics (Jonah 1998:229-257; Gyimah-Boadi 2001:67-68; and Frempong 2006). The mobilization of ethnic identities enables these political parties to secure vital political capital for the coming electoral contest; it promises a short-cut to electoral victory.

Ethnic elites benefit from the electoral victory of their political party: they become beneficiaries of government contracts, access to huge bank credit, appointment to elite public offices, and other forms of patronage. On public appointments, Asante and Gyimah-Boadi (2004) have pointed out that an audit of presidential appointments to various offices since the dawn of the Fourth Republic is most likely to reveal a palpable trend towards ethnic appointments.

Because electoral mobilization tends to assume tribal/ethnic and regional dimensions, the winners and losers in transition politics also tend to segregate along tribal/ethno-regional lines. Where the winners-losers divide is coterminous more or less with people in the geo-political division of the country: for example,

Ewes in the Volta Region, Asantes in the Ashanti Region, and northern tribes who tend to associate en bloc with the northern Regions (their internal differences notwithstanding), the politicization of primordial cleavages is exacerbated, and political discourse tends to capitalize on such cleavages instead of becoming a discourse on alternative public policy. Transition elections therefore have a strong tendency to open up social cleavages where some of them may be dormant. Such cleavages could easily become the source of a variety of conflict and instability, thereby jeopardizing the cohesion and peace of the nation.

State Patrimony and Endless Electoral Mobilization

Why is the Ghanaian elite so keen on winning state power? As Dunn has pointed out, democratic elections provide an orderly and legitimate means for exercising state power.⁸ After decades of military rule the Ghanaian political elite is justified in celebrating democratic elections. Apart from affording them a secure and orderly procedure for winning state power, elections also protect their claim to govern the country. Ghana's political elite cherish democratic elections for another reason, which is the control of the state and through it to gain access to the vast state resources available for distribution. Since the end of colonialism politicians have viewed the state as the means for securing access to the vast economic resources of the nation. Edie argues, 'For the elites the loss of influence over the state meant the loss of everything. Losing an office meant not only losing political influence but also access to economic resources. The state had the power to determine success or failure of economic actors.' (Edie 2003:65-66) Accordingly the political elite indulges in intense competition among themselves, sometimes to absurd limits, to win control over it. Hence since 1992 competition for parliamentary seats has become quite aggressive: in 1992 there were 463 candidates competing for 200 seats; in 1996 there were 778 candidates competed for 200 seats; in 2000 the number increased 1,074 candidates competed for 200 seats; in 2004 the number fell 951 candidates competed for 230 seats; in 2008 1,060 candidates competed for 230 seats; and in 2012 the number increased again 1,332 competed for 275 seats. In 1992 the average number of candidates per constituency (a total of 200) was 3. Despite the fact that the number of constituencies had increased from 200 in 2000 to 230 in 2008 (an increase of 15%) and then to 275 in 2012 (an increase of 19%), the average number of candidates per constituency in 2012 had increased by 66.67 per cent in the 2008 and 2012 elections when the average number of candidates per constituency had risen to 5.

In effect therefore elections have become a method for conferring a veneer of democratic legitimacy on what the political elite regard as the proprietary right to power which is power to control the state, its bureaucratic apparatus as well as the wealth and other assets of the nation. This culture of power as a proprietary right is strengthened by the Constitution which confers almost unbounded power on

the victorious political party to control public wealth and other assets. Anaman⁹ puts the total wealth that the victorious political party elite controls at 'about 50 billion Ghana cedis over the four-year period (based on an average budget of 12.5 billion Ghana cedis of national government spending per year using actual government spending for 2010 of the current government as a guide). With government spending averaging between 25 to 30 per cent of the gross domestic product of the country, the elected government has considerable amount of power and resources to manage (or mismanage) the affairs of the country.' To win control of the state therefore means securing control of this huge national wealth (which has been increasing exponentially with the discovery of oil in commercial quantities) and using it for purposes that are often unaccounted for and perverse, and offends the citizens of the country.

The electoral mandate further confers on the victorious political party, represented by the president, the power to make infinite number of appointments, from cabinet ministers and top executives in state and quasi-state organizations (including board members of public boards and corporations) to lower level political and executive appointments such as district chief executives and executive heads of, for example the Ghana Youth Empowerment and Entrepreneur Development Agency (GYEEDA), National Health Insurance Scheme (NHIS), National Disaster Management Organization (NADMO) and National Identification Authority. These constitutionally mandated appointments alone make the president a very powerful head of an extensive and rich patrimony, and the rank and file of his party become privileged beneficiaries of financially rewarding patronage. The attraction of such patrimony binds the rank and file of a party together, infusing them with a passion for permanent electoral mobilization.

Transition Politics and State Institutions

The mass redeployment of public servants of talent and experience during transition periods adversely affects the capacity of the state bureaucracy and other public sector institutions. The unavoidably slow process in redeploying personnel and replacing them with new appointees compounds problems for both institutions and individuals who are caught in the redeployment politics. In particular, the processes for new appointments which are regulated by the Constitution virtually paralyzes public institutions and stalls the business of managing public affairs. For example, Articles 71, 72, 74 (1), 183 (4.a), 185 (3) and 189 (1.a) of the Constitution provide that the President shall make a number of key executive appointments in consultation with the Council of State. However, over the years change of government has also meant change in the membership of the Council of State whose re-constitution is often held up by other constitutional requirements. For example, when there is change of government, fresh elections should be organized to choose the 10 regional representatives on the Council of State. This

constitutional requirement further makes it obligatory that the Metropolitan, Municipal and District Assemblies (MMDAs) would be re-constituted¹⁰ through the appointment of new Chief Executives and new government appointees. Furthermore, the new MMDAs have to hold fresh elections to choose a presiding member and other principal officers. The election of new presiding members as well as the approval of new MMDCs could be held up by internal, largely partisan squabbling, leading to long delays in reconstituting the MMDAs. The reconstitution of the Council of State could therefore be delayed, becoming a huge obstacle to the early appointment of top public officers in accordance with the Constitution. In 2001, for example, the Council of State was sworn in on 19 July and had to start work immediately.¹¹ Meanwhile, with the good intention of saving precious time and getting the central government machinery to start functioning, pending the inauguration of the reconstituted Council of State, the new President had decided to make a number of senior-level appointments. Before long, a member of the out-going government had filed a writ in court restraining the President from making appointments without consulting the Council of State, arguing justifiably that any such appointments contravened the Constitution (see Daily Graphic 2 January 2001).

Conclusion

I have argued that elections that usher in political transitions have divided the nation into winners and losers, where for the winners the election propels them to the position of a new ruling elite with almost unqualified access to political power and wealth, and the losers a fall from power and loss of access to wealth and privileges associated with public office. The notion that control of the state is the key to controlling and appropriating the wealth of the nation emboldens the protagonists to engage in intense political, often vindictive, competition to a point that threatens the capacity of state institutions, as well as the unity, stability and security of the nation. In the heat of this adversarial politics political competition tends to mobilize tribal/ethnic, and other primordial cleavages instead of unleashing a discourse on alternative public policy. Transition elections, and by extension politics in general, therefore have a strong tendency to open up social cleavages even where some of them may be dormant. This has become the bane of Ghana's politics in general.

The notion that control of state power is a means to monopolize public resources in the form of financial and other assets, appointments and other reward systems underscores three inter-related features of transition politics. First it underscores the nature of power as an inherently priceless value that political elites should fight for at all cost – even if it means fighting for it at the cost of one's life. Hence a leading contender of the presidency in the 2012 elections would admonish his followers to be prepared to fight even if it would cost them their

lives. After all, 'All die be die.'¹² Second, it makes electoral mobilization a political imperative for any political party that would like to win state power at the next elections. Hence the endless nature of the transition process and why electoral mobilization does not end with the declaration of the just-ended presidential election results. Third, permanent electoral mobilization diminishes the capacity of the state to govern effectively. This in turn makes it easier for the elites of the two leading political parties to politicize such institutions in their struggle to 'capture' the state apparatus, and control the wealth of the nation.

Notes

1. This chapter was developed from several draft reports on Ghana's political transition that I prepared for the Institute for Democratic Governance (IDEG) as part of a project sponsored by the UNDP titled 'Democratic Transitions and Human Development in Ghana' in 2010-2011. I acknowledge the contribution made into the clarification of the concept of 'permanent mobilization' by Dr Emmanuel O. Akwetey of the Institute for Democratic Governance, Accra.
2. Since the 1992 general elections Ghana has changed government every 8 years, that is, after the second tenure of the ruling political party, which seems to suggest an evolving tradition that there will be a change of government every 8-year election cycle. The elections that climax this eight-year cycle are here referred to as 'transition elections'.
3. See the *Presidential (Transition) Act, 2012, Act 845*
4. The state apparatus must be distinguished from state power the control of which is usually decided at the polls.
5. Interview with a member of the NPP's 2000/2001 transition team. According to this source, it was most unlikely that the outgoing NDC government had thought it imperative to establish a transition team as a contingency measure. The most probable explanation for this is that the NDC did not expect to lose the elections. Hence, without reference to the representatives of other political parties or any established authority with responsibility for managing the transition, it had gone ahead to initiate preparations for the swearing-in of the President and the inaugural dinner, including the compilation of a list of guests who would be invited to the two events.
6. According to Mr Kwadwo Mpiani, Minister of State and Chief of Staff at the Office of the President, the government had prepared a transition handbook with the help of the Canadian Government, and all the Chief Directors had been directed to prepare detailed handing-over notes on their respective ministries in preparation for a smooth handing over of the administration to a new government. See Daily Graphic, December 2000.
7. In the 2008 presidential elections, for example, the NDC presidential candidate had obtained 4,521,032 votes against the NPP candidate's 4,480,446 following the run-off, winning with a very slim majority.
8. Dunn celebrates democracy as a preferred form of governance because it provides the framework for orderly and legitimate exercise of power. See his introduction in Dunn (1992) *Democracy, The Unfinished Journey 508 BC to AD 1993* Oxford: Oxford University Press.

9. See Chapter 6 of this volume.
10. A new president normally removes the MMDCEs and terminates the tenure of the government appointees on the MMDAs.
11. According to our interview with a member of the 2000/2001 Transition Team of the President-Elect, the reconstituted Council of State had to get down to work immediately even when it did not have records from the previous Council of State; it did not have secretarial staff, handover notes or no adequate furniture for serious Council deliberations.
12. This political declaration was made at the political party's public rally on Tuesday 8 February 2011 in the Eastern Region of Ghana.

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