



INNOVATIONS FOR SUCCESSFUL SOCIETIES

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McCANTS: We are interviewing Mr. Kwesi Jonah with the Institute for Democratic Governance (IDEG) in Accra, Ghana. It is 11 August, 2008. The interviewer is Ashley McCants.

I always like to begin these conversations by learning more about a person's personal background. Can you describe your role in election administration and what your goals are in your position?

JONAH: *First of all I work both at the university and here. This is not the first institute of governance that I've worked with. I worked with the Institute of Economic Affairs, for example. I worked with them, designed the election programs for a very long time. For example, for the 2004 elections I was working with the Institute of Economic Affairs and I was in charge of the governance program: the entire election year program was under my control, designed by me. Many of the initiatives that I led there have been continued.*

Then here, at the Institute for Democratic Governance, I do two kinds of things. One, for elections and political parties: I want to find out the actual contribution that political parties in this country make to our democratic development in Ghana. This is going to be written into the Annual Governance Reports of our Institute, the first of which is due to come out soon. But on elections we are interested in a program of credible elections. We have many interests concerning elections, but the particular area of elections that I'm concerned with is credible elections. We are interested in a few things that fall under elections.

First we want to find out how people get registered to vote. So we are observing the registration of voters in this country, detecting associated problems and determining how the Electoral Commission should position itself to do this kind of job better in the future. That is one of the things that we want to do.

The second thing we want to do is to educate people on rejected ballots. It is very interesting—but this is a big problem in this country. There are two aspects of elections in Ghana that are very intriguing. One, the voter turnout has been going up all the time: from 57% in 1992 to 85% in the last election in 2004. But a strange thing is that at the same time that voter turnout goes up, the number of ballots that are rejected is also going up. This number is not only going up in absolute terms, but in proportional terms—and that is alarming.

So we want to set up some kind of voter education program to combat the problem of rejected ballots in this coming election. But there is another thing that we want to do which is very important. We have come to realize that the average Ghanaian does not have enough time or sufficient capacity to study election manifestos. As you know, sometimes election manifestos come in huge volumes. The average Ghanaian doesn't like reading very much—and even beyond liking, a considerable proportion of our population cannot read or write. So we're trying to find a way of simplifying the party manifestos to make them easily accessible and readable to the majority of the people, so that they will know what the issues are, what the parties, and what the presidential candidates propose to do. That is another thing that we want to do under our elections program.

But there is another important thing that we want to do. We have come to realize that on election day many observers are deployed to monitor how elections are conducted. Thousands of observers, some from this country, some from outside, walk around the country, observing the elections. But there is a serious shortcoming that we have noticed: foreign observers fly in only a few days before

the elections and fly out a few days after the elections. They do not stay in this country long enough; in fact they are itching to go back home.

Ghanaian observers are deployed very early in the morning on election day. By the time it comes to counting ballots, they are already exhausted and not very effective. Therefore, the problems that arise are associated with vote counting rather than disputes over the voting itself.

Now if you have observers there who have been deployed since 6 a.m., by the time it comes to counting at 10 p.m. at night, they are already exhausted because they have stayed awake for how many hours now? So we have decided that we are not going to concentrate on the voting process itself, but rather on the counting, the collation of the results and the declaration of results. This is a completely different ballgame.

These are some of the things that we want to do, but there are many others. For example, we want to find out what are the key issues for voters. We have a few basic ideas to start with. For the 2004 election, the main issues had to do with education, health and unemployment: these were high priority issues for Ghanaian voters. The election studies that have been conducted so far clearly indicate that unemployment, which used to be only the third most important issue—in fact, education was by far the most important issue, with almost half of the population saying that it was important to them. This time around, it has changed. Unemployment, the former third most important issue has climbed to the top for this particular election.

This is strange and surprising because one of the biggest boasts of the government is that they have been able to create jobs. They have a huge program for job creation called National Youth Employment. So the question then is, why is unemployment the most important issue now? Why has it climbed all the way to the top? We want to find out and see. The way to do it is not just to establish nationally what are the most important issues, but also to come down to a more local level so that issues of primary importance for one area may not be the main issue for another area. This is the kind of thing we want to do. Among the many things that we are doing I'm focusing on the ones I am in charge of.

McCANTS: Can you tell me when your work in election administration began and what kind of work you did before you got involved with elections?

JONAH: *To tell you the truth, I have been working on elections for a very long time. I have been an election observer for the Commonwealth in the Caribbean, I have been an election observer for the International Republican Institute closely associated with the Republican Party—interestingly, in Liberia. In addition to that I have worked with domestic observation groups in formulating and shaping—*

For example, you see in the 2000 election I compiled all the election rules and regulations in this country, put them into a single volume so it would be very easy to—. I trained people to observe. In this particular election, for example, I have trained and deployed approximately 225 observers. They are right now observing, monitoring registration. I am going to send them back on election day to observe what I've told you about, the counting, the collation, the declaration of results on election day.

So I must say that my association with elections in this country is extensive. I have also written about elections in this country as an academic. I teach Political Science at the University of Ghana. So elections are like my cup of tea.

McCANTS: Most of this interview will probably revolve around your work in elections in Ghana but we welcome comparisons to other elections or missions on which you have served. Very briefly, what would you say are the biggest challenges that are arising in this election environment?

JONAH: *In this election environment, the main problem has to do one with the political atmosphere, the environment. The struggle for political power in this country has become so serious, that if you're not careful—there are people who will not accept defeat gracefully. They will find one way or another to reject the election results. This is now clear because there have been many warnings. If you don't do this, X, Y, Z, we will not accept the election results. If you do this—and so on and so forth.*

So the number one priority for this country is to create a peaceful environment before, during and after the election. That for me is key: peace before, during and after the election is key.

McCANTS: Are there any geographic or bureaucratic challenges that make this election more difficult than others?

JONAH: *There are geographic challenges. We have, in this country some areas that we consider to be flashpoints. These are potential centers of violence. I cannot list them all but there are local conflicts that have been going on in many parts of this country— mostly over chieftaincy. At the moment we have one conflict area, Bawku. We have Yendi where the king was killed a few years ago in 2001. We still have not been able to resolve the dispute peacefully. We also do have a few flashpoints, all of them having to do with—now, in all of these geographical areas where there are conflicts, unless we tighten security, unless we pay extra attention, it is highly likely that violence will erupt during the election. You might have heard that in the Yendi area where the king was killed, some shots were fired recently. Bawku for example: the whole area is now under curfew from 8 p.m. to 5 a.m. People cannot move about. These are geographical areas where—.*

Now the bureaucratic limitations, you know that the Electoral Commission of Ghana has never been able to employ the number of people it really needs for elections. Every election, every registration exercise they engage temporary staff, every registration exercise. So there are approximately 10,000 or 12,000 people who are doing the registration exercise right. They are not permanent employees of the Electoral Commission. Now when people are not permanent employees, discipline and control become very difficult. They have come to work for you only for a ten-day period—or a twelve-day period if you have extended it for two more days.

It is difficult to vouch for the integrity of every single employee because these are not permanent staff and the extent to which you can sanction them is—. So for every, every election, the staff has to be engaged. And on election day you face the same problem. The Electoral Commission has to engage people to do this kind of work for them.

McCANTS: How long does the electoral process take, from the first step of planning discussions to the release of the final count, or how long do you anticipate that it will take?

JONAH: *The question again? Starting from when?*

McCANTS: Starting from the first planning discussions of the election down to the release of the final count.

JONAH: *If things went very well, I would say that from the planning stage to the actual release of results is ten months minimum. That is if things go well, according to plan—ten months.*

McCANTS: Did weather or planting seasons or certain laws in Ghana or popular pressure for change—has that shaped the timing or the sequencing of the election?

JONAH: *No. We conduct our elections in December and the reason for conducting elections in December is that it is after the main planting season. This is a country where over 60% of people are in agriculture. When is harvest? Harvest is in August, September. That is when—I need not go into details with you, but we have our rainy season in May, June and the rainy season is critical for the crops. Then you begin the harvest in July/August. With maize everything is about planting. You harvest in August, September. So by December it is the end of the harvest, there is no serious farming going on. That is why we conduct elections around that time.*

In that sense you will see—but different geographical areas are difficult, due to climate and other conditions. But basically we do the elections in December because that is long after the harvest.

McCANTS: Would you describe the decision process that produces the final schedule, or describe how the election schedule is amended as the process moves forward? Have there been any concerns expressed about the timing and the sequencing of the elections?

JONAH: *Yes, quite a bit of concern has been expressed but it has to do mainly not with farming or harvest and so on and so forth: the main concern that has been expressed has to do with the time we do our elections and the time we inaugurate the elected President and parliament. We conduct our elections on the 7 December. In one month's time, by 7 January, we shall have inaugurated a new government. This means that if there is a second round, there is not a clear—to be elected President you need 50% plus one vote. If we don't get a clear outcome we have to do a runoff in two weeks. When you do a run off in two weeks, it's only two weeks to prepare to inaugurate a new government, a new parliament; you don't have any time at all.*

But it is not an easy task to print a new set of ballot papers, to conduct a second round, in under two weeks: it is extremely difficult. So people have expressed considerable concern, why did you choose dates that were so close? I think in America you have about three months in between.

McCANTS: How does the decision-making process for that schedule play out? How is the schedule produced?

JONAH: *It is fixed by law. Our laws and our Constitution have established that on 7 December you should have your elections and you should inaugurate your President the next month. So it is not a subject for discussion.*

McCANTS: What about the schedule for the other election-related events, registration and things like that? How is that schedule produced?

JONAH: *The Electoral Commission works closely, very closely with the political parties of Ghana. Of course they have to discuss with government as well because the government allocates the budget. But in the past the election stakeholders—the Electoral Commission itself is a seven-member body with a Chairman and two Vice Chairmen. Then you have the political parties. These are the key stakeholders.*

They have come together to form what you call the Inter-Party Advisory Committee, IPAC. You need to get this very clear. The Inter-Party Advisory Committee, you call it advisory, was created in 1994, thereabouts. There was a significant problem in the 1992 election, the first election, so we had to create the Inter-Party Advisory Committee to make the process more consultative. The Electoral Commission would discuss with them, lay out the plan and discuss the plans with them.

Now get this straight: our law states that in the performance of its function, the Electoral Commission of Ghana shall not be subject to any other authority including the President and parliament, it is completely independent. So that is why we call this body the Inter-Party Advisory. The commission can decide to forget what they have said. The Chairman of the Electoral Commission is the Chairman of this group. So far it has worked very well.

The Commission consults the Advisory— interestingly outside parties are allowed to be members but in observer roles. We cannot contribute to the discussions. We cannot ask questions. Development partners, the USAID, DFID (Department for International Development), CIDA, Canadian International Development Agency. The other SIDA, Swedish International Development Agency, DANIDA they are all members, they are free to come, but they cannot contribute to the discussions. This is the body that discusses all aspects, all problems relating to elections. Then they finally implement.

McCANTS: Do you have any general advice to offer people working on elections in similar settings about the timing and sequencing of elections?

JONAH: *I would say that one, the timing should not be so tight as to deprive both the election body and the government of the country [interruption]*

McCANTS: This is continuing with Mr. Kwesi Jonah. We were just discussing the advice about timing and sequencing of elections.

JONAH: *I would say between the day of election and the day a President and a new parliament get inaugurated, there should be long enough time to allow for any eventuality. If there is a runoff, if there are unresolved election disputes, there must be enough time to resolve all these problems before the parliament and President are inaugurated. Otherwise, it puts unnecessary, undue pressure on the institutions of the country and in the event—anything at all can happen to disturb the peace of the country. So you elect your President and allow yourself enough time to inaugurate the President. That is one advice as far as the timing is concerned.*

McCANTS: I would like to speak about the legal framework for elections.

JONAH: *Sure.*

McCANTS: Some of my questions are about legislative and regulatory policy choices, for example whether to use a proportional representation system or some other

system. Other questions concern laws about—regulations about eligibility or voter registration, voting procedures, observation. Could you first talk a little about the choice of electoral system and how that system was chosen, the choice about whether to use a First Past The Post (FPTP) system, proportional representation or some other set of rules, and if there are any seats reserved for women, regions of the country, youth, or other groups?

JONAH: *In this country we use the First Past The Post system, the same system that the US uses and probably the same system that Canada uses. You should take notes that this is a system exported by Britain to all of its former colonies and very few of them have voted to change it. So most countries are accustomed to this system. Some of us have been talking about proportional representation for how many years now? Nobody seems to listen. The truth is that in this country people have become so used to being represented by somebody—there is a direct relationship between the member of parliament and the constituency he represents.*

The result is that a parliamentarian in Ghana performs functions that are unknown to parliamentarians in many other countries. A parliamentarian in Ghana is first and foremost a social welfare officer. People from his constituency will travel all the way to Accra and come and collect money for their medical bills. People will come all the way from their constituency in distant parts of the country and say “well, I want to pay—my son got admitted to university—I don’t have money,” and the parliamentarian will have to cough up the money.

I have had the unfortunate experience of listening to some of the things that people ask of parliamentarians. We expect—this is very Ghanaian, very African. So if we change over from the present, First Past The Post system which enables one member to be elected to represent one constituency, the others will change because the direct relationship that exists between MPs and their constituents will no longer be there. There is a list. You represent a Party, not particular groups of people. Therefore people will not—I believe very strongly that both the MPs themselves and the constituents will resist any attempt to move over to proportional representation. In my view, the reason I wanted PR is that it will enable us to increase the number of women in parliament without too much effort.

McCANTS: What about other laws and rules that govern eligibility, registration, voting procedures, candidate clearance and other matters? Are there any distinctive challenges or problems or opportunity that shape the development of the legal framework for the election with regard to other types of regulations?

JONAH: *Well, for a very long time—let’s look at the legal framework. If you look at the legal framework, who qualifies to vote in Ghana? Every child of 18 years—sorry, every Ghanaian aged 18 or older qualifies to register to vote. But the youth of this country have for a long time been challenging the fact that they can vote at 18 but they cannot be elected to Parliament until they are 21. Second, they can be elected to Parliament at 21, but cannot be elected President until they are 40. They don’t understand why. If I’m qualified to vote for somebody, I’m qualified to go to Parliament and be President. If I’m qualified to go to Parliament, I must be qualified for the Presidency. But that’s not the case.*

I don’t know how we can resolve it but I have always insisted, and I do insist that I find the present system OK. I wouldn’t like to have a 20-year-old playboy as my President. There must be a certain level of maturity. At the very minimum the person must have completed college and paid taxes for this country.

I keep telling them that I don't find too much of a problem with these eligibility regulations, but it is a problem. In fact, as we approached this election the youth—Interestingly the youthful wings of the parties were the ones complaining about this disparity: vote at 18, go to Parliament at 21, but you don't qualify to become President and so forth. That is one problem.

McCANTS: Which bodies develop and adopt the rules concerning eligibility registration and so on?

JONAH: *The eligibility and so on and so forth were determined by the framers of our Constitution a long time ago, in 1991, 1992, thereabouts. But the good thing then is that any subsequent changes to our electoral laws must be proposed by the Electoral Commission.*

McCANTS: And do those laws have to be then approved by Parliament?

JONAH: *Yes. The Electoral Commission will propose and then—right now they are even proposing new laws on public funding of political parties. So now, after the formation of the Constitution, if any change is to come, it must come from the Electoral Commission.*

McCANTS: Can you describe some of the features of the laws that govern the conduct of elections here that you think make this process distinctive, and how well do you think they have worked?

JONAH: *One, I think that the electoral laws of this country are quite distinctive. Let us take the election body itself, the election monitoring body itself. As you probably know from visiting other countries, there are different ways of constituting the electoral body. There is what you call the One Man Commission. There is only one person. Every other person there is just working to help him. Then there is the type of commission that is constituted solely by political parties, representatives of political parties. I have seen it in the Caribbean. It doesn't work because when I met the commission as a member of the Commonwealth Election Committee, they were quarreling among themselves. Why? Because they represented different party interests.*

Now here in Ghana we have what we call the Collective Commission. It is not one person and political parties are not represented in there. You have a Collective Commission, a seven-member commission fairly well balanced, three women, four men, basically not associated with any political parties. They have in their heads whatever party they think they would vote for and so on and so forth. But this commission, which is also fairly independent of government control, very, very independent of government control—I have in mind the chairman of the bilateral commission. If anybody wants me to resign, he is talking empty talk. Neither the government nor any party can compel me to resign. The Chairman will leave when he comes to retirement age, which is tied to the judiciary. All his conditions of service are tied to the judiciary.

So I think in a way we have a very, very unique electoral commission that we need to preserve and so on and so forth. I hope that future presidents will maintain the distinctive character of our commission. I think—in my opinion, the laws of this country have worked quite well. What is missing is public funding for political parties. We are working on that. There are poorer countries than Ghana that have instituted public funding for political parties. We haven't. Yet, at the same time, our laws make so many demands on political parties. That is a major

shortcoming. We ask political parties to be established in two-thirds of the districts of this country, that is not a joke. Yet we don't give them a penny to fulfill all those obligations.

McCANTS: Can you describe how the election management body or the Election Commission was established?

JONAH: *The Election Management Body under our laws is an executive prerogative. The President of Ghana nominates the members. Under no circumstances are political parties allowed, or individuals allowed to nominate people. I would say that what has surprised me is that even though it is the President who nominates the members, the presidents of Ghana have been quite unbiased, including General (Jerry) Rawlings, the first President as well as the current President. I mean that they have not opted to nominate people from their parties. The result is that the Ghana Electoral Commission has maintained its independence for a very long time. Also tying the conditions of service to the judiciary means that the people who were nominated a long time ago are still there, you can't change them by the laws.*

So the chairman has been there right from the beginning of the commission. One of the vice chairmen has been there from the beginning of the commission, and the other vice chairman was occupying a much lower position before he was elevated to the position. So it is fixed by law. The law gives the President the prerogative to nominate people to this commission.

McCANTS: Are there certain eligibility requirements for those nominations?

JONAH: *There are no eligibility requirements other than that of presidential decision and otherwise being qualified for election as a member of Parliament.*

McCANTS: Were there any—has the Election Commission kind of been revised throughout the years, or were there other models that were considered to create a new body?

JONAH: *We have never looked back since we embarked on this Election Commission. We have not revised it. We have only replaced members who reached retirement age. First we considered the Electoral Commission. In this country we have invested the Electoral Commission with the same independence that the judiciary has, and therefore almost all the conditions of service are like in the judiciary. In Ghana, Supreme Court judges retire at 70, and Appeal Court judges at 68. The chairman of the Electoral Commission is the equivalent of an Appeals Court judge. So at 68 he is not going to go anywhere. Nobody can throw him out.*

The other members serve under the same conditions as the high court, which means they have to retire at 65. By now three members withdrew per that, and were replaced.

McCANTS: Is the Election Management Body mandated in the Constitution?

JONAH: *It is not in the Constitution. We have a specific law that has fleshed the constitutional provisions.*

McCANTS: You mentioned that the Election Management Body is independent from the government.

JONAH: *From everybody, from political parties..*

McCANTS: There are different ways to build this kind of independence. What steps were taken to create independence here?

JONAH: *The independence has been secured mainly through the conditions of their term of service. The acid test is what has happened to the EC, what would have happened to somebody in the judiciary. So salaries, conditions of service, once appointed they cannot be dismissed by anybody, retirement age the same as the judiciary. So I would say that by tying the conditions of service and everything very closely to the judiciary, we have succeeded in granting them whatever independence that the judiciary of Ghana also enjoys.*

McCANTS: Where does the budgetary authority for the commission rest?

JONAH: *The entire budget of the commission comes from the Consolidated Fund which is the pot into which all taxes of Ghana are paid.*

McCANTS: Who has the authority to then disperse funds to the commission?

JONAH: *The budget of the commission goes first to the Ministry of Finance which is closely supervised by the Ghana Parliament. So, for example, if the Commission asks for 3 million dollars, or 5 million dollars and the Finance Ministry is not able to—they will have to justify it for Parliament. Now there is one issue. We are dealing with a voter registration exercise which showed we should have set up 5,000 workstations. A workstation is the place where you go, you register your name, you have your photograph taken and get your voter ID card on the spot.*

Now, instead of 5000 workstations, we are currently using 2500 workstations which has created a lot of problems for the elections voter registration exercise. Now the IPAC, the Inter-Party Advisory Committee, the body that is collectively—they put pressure on the government to pay for the 5000 workstations but the government couldn't find the money. The government then said "you can make do with 2500 without problem, provided the equipment is there, and this is what you've been doing." But the EC admits that funding is not adequate, and we can go into that.

McCANTS: Transparency and the appearance of fairness are very important in management of elections. I am especially interested in the ways in which people try to maintain transparency in the Electoral Management Body here. I'm interested in whether the meetings of the Electoral Commission are public, are their decisions published? Is their budget subject to debate?

JONAH: *There is, in many developing countries there is a problem with transparency. But I would say that the Election Management Body in Ghana is more transparent than most—90% of Election Management Bodies in the world. One, there is IPAC, the Inter-Party Advisory Committee. Every party—I know of political parties that do not contest elections and yet they attend IPAC and make contributions. I know political parties that will never be able to obtain 0.001% of the vote, yet they are members of IPAC. They go to IPAC and discuss it.*

Whatever, as soon as IPAC makes a decision they are made available to the media, to the press. I attend IPAC meetings and I can tell you about transparency. The Chairman of the Electoral Commission has made it clear that apart from IPAC meetings, any party officials are free to walk to his office and ask questions about anything. They can sit down and discuss. Don't wait for IPAC meetings. Honestly, quite recently, the transparency of the Election

Management Body was demonstrated when the largest opposition party complained about the voter registry. They complained that the voter registry for particular constituencies where the ruling government has a stronghold were bloated and this would affect them in the next election.

The EC without too much trouble set up a commission made up of the parties and civil society organizations; the parties had a majority. I think I was there, at the IPAC meeting when this body was set up. Out of eight or nine members, only two were from the Electoral Commission itself; the rest represented the political parties and technical bodies that had an idea of how to compile, store and retrieve data. The media reported on this, so it was quite transparent.

McCANTS: Are members of the Electoral Management Body required to report on their personal assets?

JONAH: *No. There is no asset declaration requirement on the part of members of the Electoral Management Body. You have asset declaration requirements for Ministers of State.*

McCANTS: What are the responsibilities at the Electoral Commission?

JONAH: *The responsibilities are many. I don't think I will be able to—The key ones are, first, to compile the electoral register, what you call the electoral role, which is what they are doing; second, to limit electoral boundaries; and third, to conduct all elections in this country. By all elections I mean parliamentary elections, presidential elections, local government elections and so on and so forth, and also to review the electoral boundaries from time to time.*

McCANTS: Does it review and clear candidates?

JONAH: *No, I have never heard of the electoral body clearing candidates. It does so for parties however.*

McCANTS: Does it determine the way that polling stations will be managed?

JONAH: *Yes, it creates and determines the way in which polling stations will be managed.*

McCANTS: Does it have a responsibility for civic education?

JONAH: *It does have a limited responsibility, not for civic education in general, because you have one big national commission which is tasked to do civic education but the Electoral Commission has a responsibility to inform and educate the public on the electoral process.*

McCANTS: Voter education. Does it determine whether observers will be permitted and does it oversee observers?

JONAH: *Yes. The authorization for observation is from the Electoral Commission now. In the case of international observers they need it, because the Ghanaian government has given this—the Electoral Commission is the one that grants authorization to all observers.*

McCANTS: And does it resolve election disputes?

JONAH: *The Electoral Commission, OK—electoral dispute resolution in Ghana is done by the judiciary. We have massive election complaints. For example, a candidate*

would complain that he doesn't think the ballots were counted properly. The Electoral Commission would go immediately and count to double check. It has happened so many times. The Commission does the check count, and revised the decision, the results, in three principal constituencies.

McCANTS: What other agencies and organizations are also involved in the electoral process?

JONAH: *The electoral process in Ghana is quite comprehensive. The National Commission for Civic Education (NCCE), the one that is engaged in civic education, is a key partner because it engages in civic education in general. It is very busy with each election. But there is also the Election Security Committee, based at the police headquarters. It is in charge of all aspects of election security. Now there is even another institution, the National Peace Council. What the National Peace Council does is basically to educate people for the election.*

I must say that another key institution is the judiciary, which resolves all election disputes. It is key because when election disputes do arise, it is the judiciary that must expeditiously dispose of them so that we can put it all behind us in the past.

McCANTS: Are these groups that you just mentioned insulated from partisan interference?

JONAH: *Not all. The Judiciary is, and the Ghana police are not allowed to do politics. I seriously doubt that the National Commission for Civic Education is insulated from politics. Most of the appointments to that body are politically motivated appointments.*

McCANTS: If you were to provide advice to someone in another country about how to build an independent electoral commission, what particular challenges would you tell them to be alert to?

JONAH: *The neutrality and impartiality of the people being appointed, that is one. Two, what has worked very well in Ghana is the diverse background of the people who come onto the commission. I am sure that in some of the countries they pack the commission with lawyers and people like that. Not for us. To my knowledge, there is only one lawyer in the Ghana commission, one political scientist. The chairman is a political scientist who was teaching at the University of Ghana. The vice chairman was a secondary school headmaster. Traditionally, people come from diverse backgrounds: that is one of the strong points of this commission. To manage elections you need people from different backgrounds. If you very narrowly pad the commission with lawyers you will be in trouble.*

McCANTS: Are there any other special innovations or features of the electoral management body here that you think might be usefully adopted by other countries?

JONAH: *The other innovation that I think that is good for people is the IPAC which is creating a forum that enables the commission to regularly meet with key stakeholders. IPAC is made up of the political parties, civil society organizations, development partners. Such a forum is required. There is one thing that I would—one advice that I would give. Any IPAC should be able to meet regularly. The major, major complaint in Ghana is that it doesn't meet as regularly as they would wish. There are no regular meetings. The meetings are convened by the EC. The argument of the EC is that if you fix regular meetings, even when there is nothing to discuss, you still have to go and sit there and talk.*

- McCANTS: Can you tell me about a particular success of the Election Management Body? Maybe in this election?
- JONAH: *In this particular election, 2008 election—.*
- McCANTS: If not you can refer to another election.
- JONAH: *In this election there was not—. It did not come off clean at all. The voter registration which is now going on should have been completed in May. It is two months late, two months behind time. But otherwise they keep training election observers. They took part in the training of my people who are right now observing. They consult with the political parties regularly. I'll say that they have so far done very well. They conducted elections for presidential candidates for each party. They conducted it. People are not aware but they conducted the elections for the election of party officials, the national secretaries for parties and even the regional secretaries of all parties. I must say that they have performed quite well in all these areas. The only area where they have fallen short and everybody is criticizing them for it, is the conduct of the voters registration exercise. It is too late and there are so many conflicts.*
- McCANTS: Elections are people-driven processes and the leadership of the Electoral Management Body can be a critical factor in instilling confidence in the electoral outcomes. Do you find that these leadership qualities are critical in this election? And what about in other elections?
- JONAH: *They are critical in this and every other election in this country.*
- McCANTS: What is the budget for this election and what are the sources of revenue for the budget?
- JONAH: *I think the total budget for this election was between 3 and 4 million dollars, US dollars. The entire budget comes from the Consolidated Fund, which is the pot into which all revenue flows, all tax revenue the Government of Ghana collects. Let me give you just a bit of an explanation here. In the past, the EC used to get substantial amounts of money from development partners. The world partners would give the money. They used to account for something like 45%, 35% of the budget. Now they continue to finance elections indirectly, but instead of giving the money to the Ghanaian government specifically for elections, they say to the Ghanaian government "this is money for your budget, we want to support your budget. You can use part of this money to do your elections." So now they pay the money into the budget and the Ghanaian government uses that money. It is difficult then to distinguish between distinctively Ghana revenue and donor—. In the past they used to give money exclusively for elections. They've changed their mode of delivery in this country.*
- McCANTS: Do you think that this change has had a negative impact on the amount of money that is earmarked for elections?
- JONAH: *For once I would like to say that I think it has, I think it has. In the past, if the donors gave money for elections, then that money would definitely go into elections.*
- McCANTS: What kind of financial accountability structures are in place. Is use of resources for personal purposes, or unrelated purposes a problem? What steps do officials take to correct the misappropriation of funds?

JONAH: *The Ghana Electoral Commission is audited regularly. We have not had the misappropriation of funds by the EC. We have not had that individual officials of the EC have embezzled any money at all. That we can say for them.*

McCANTS: Elections are expensive but costs can vary across different settings. Do you have any ideas on how to make the electoral process less expensive to conduct?

JONAH: *I don't think that we can make our election any less expensive. However, I do think that the burden on the government of Ghana every election year could be alleviated. This is how we can do it. We have an election cycle of four years. I think, in my very candid opinion, every year of this election cycle, the government of Ghana can set up an election account so that we pay about a million dollars annually. As it is now every election year the Ghana government is seriously burdened with the task of financing the election for that year. I think that if every non-election year we set aside a million dollars or so, by the time we came to the election year the pressure on the Ghanaian government would only be so much. Actually reducing- I very much doubt there is room for reduction.*

McCANTS: Often there are difficulties in boundaries and limitation or districting prior to the election. Can you describe how the boundaries and limitation process works here? Who is responsible for the determination of boundaries and what laws shape their work?

JONAH: *The boundaries and limitations process in Ghana is in the hands of the Electoral Commission, they do it.*

McCANTS: Is it mandated in the Constitution that they should be in charge of it?

JONAH: *Yes, they do it. However, every once in a while problems erupt in one part of the country or another. The reason is that people are very strongly attached to their ethnic groups. So if we're not careful and we end up delimiting a constituency where different ethnic groups will have to coexist, then that creates problems.*

McCANTS: So when problems erupt, what steps do leaders take to produce reconciliation or acceptance?

JONAH: *The two ethnic groups involved are called together, they discuss, and then a mutually acceptable solution is found.*

McCANTS: Can you describe how registration of voters is taking place in this election, specifically what the eligibility enrollment and allocation to polls process is?

JONAH: *The election registration process covers everybody 18 or over. The other clause is of sound mind. I don't know, we don't have enough psychologists to test if the minds of all voters have the same potential. Basically the person must be a Ghanaian of sound mind aged 18 or older. As for the registration exercise itself, we have two tasks for registration.*

We have what you call limited registration exercises, especially where local government elections precede general elections. You have to see if some people have come of age at 18 because they ought to be registered. The current registration that we are doing now, right now, covers not only the 18 year olds but other Ghanaians who might not have registered for different reasons. For example you were in the US or some other place and you didn't register, this is the time for you to register. For example you belonged to a religious sect which

did not believe in voting in the material world, you've changed it. You can now go and vote.

McCANTS: What is the process through which you can go and register?

JONAH: *Normally the polling station, the registration centers would be advertised. The registration centers are very different from the polling centers. There are more polling centers than registration centers. We are supposed to have 5000 registration centers. At the moment throughout the country we have 2500. But we have 16,000 polling centers.*

McCANTS: What kind of identity documents are employed? Are there existing identity documents or special voter ID cards issued for the election?

JONAH: *Voter ID card. Everybody must have a voter ID card which bears his or her photograph. The voter roll itself must also include photographs. So you have two photographs, one on your card and one on the roll, which makes double voting very difficult.*

McCANTS: Do you use social documentation for those who may not have documents?

JONAH: *Yes, the basic requirement is that you have a birth certificate. Those who cannot produce that or a church-issued baptismal certificate that also contains the date of birth from your church—if you don't have any of these documents you must call your parents at least to come and testify that even though their child looks very small he is actually 18.*

McCANTS: What controls are developed to—have been developed to prevent multiple false or erroneous registrations?

JONAH: *Many. One, any time you register you put indelible ink around the finger cuticle, here, so that you cannot go to another station to vote again. Beyond that we have, at each registration center, representatives of the political parties who will be on the lookout. They check each other. If a guy has indelible ink on his finger it means he has already voted and we won't allow it. So we have something to show that you voted, we have the agents of the political parties; we call them political agents, they are there to check.*

McCANTS: What steps are taken to prevent the selective registration of supporters of the party in power?

JONAH: *What steps are taken to do what?*

McCANTS: To prevent selective registration of supporters of the party in power.

JONAH: *All the parties have their agents there. So there is absolutely no way that the supporters of the ruling party can do that.*

McCANTS: Are registration lists published and posted, and were there clear procedures for remedying deficiencies?

JONAH: *Yes. We call it exhibition of the electoral roll. After we've compiled it, we exhibit it. When we exhibit it, two categories of people—the voters themselves will go and check whether their names are there or if names are omitted. The political party representatives will also go and check whether names of dead people—my*

mother died last year and I have to take steps to eliminate her name from the voters' registry.

So the parties themselves and then the voters who have registered to vote will go there to check.

McCANTS: What is the process for remedying an incorrect name or missing name?

JONAH: *You will fill out a protest form and you send it to the EC. Then the EC will make sure to take off any names you protest against.*

McCANTS: So what have been the logistical and operational challenges in conducting voter registration?

JONAH: *Plenty. There have been shortages of materials, registration materials. The materials consist of the following: the registration form, the cameras, the film, printing cartridges. They have shortages of these materials at various stations.*

McCANTS: So how are the registration workers overcoming these obstacles?

JONAH: *The registration workers, there's not a lot they can do because this is the way it is at the registration center. The EC—and I've told you that many of them are not permanent employees of the Electoral Commission. It is the EC that must learn to respond very quickly because the EC has national, regional and district offices. So when the registration center which is about 1200 km away from Accra runs out of materials, the district elections office must be able to respond very quickly.*

McCANTS: How is the structure of the ballot decided upon? Who is involved in that decision?

JONAH: *The structure of the ballot is basically decided by the EC, but is discussed with the IPAC. So, for example, the structure of the ballot this year is going to change. The ballot that we had been using in the past has been found to be defective, it encourages a lot of rejected ballots. It causes a lot of rejected ballots. So what we are doing now is to produce a different kind of ballot that shows a thick black line between the pictures of the candidates. So in the past one candidate's picture would be here and there would just be a thin line like this, thinner than this, separating the two. Now you have a thick black line, as thick as this.*

McCANTS: What other options did you consider?

JONAH: *We considered—for the disabled, especially the visually impaired, we considered tactile ballot papers.*

McCANTS: Have you considered photographs and numbers on the ballot to assist illiterate voters?

JONAH: *Photographs of what? Of who?*

McCANTS: Photographs of candidates.

JONAH: *All our ballots have photographs of all the candidates in the election, parliamentary and presidential on it.*

McCANTS: And is the ballot distinctive in any other way?

JONAH: *Apart from the tactile ballot papers for blind people, the only thing that is distinctive about the ballot paper is that the candidate is there, the party symbol is also there beside the candidate.*

McCANTS: What would you have changed about the ballot design if you could have, in addition to the addition of a thick black line?

JONAH: *I think the EC itself is considering making changes to the ballot paper. Especially during the folding. You fold the ballot paper and if you don't fold it well—the EC at the moment has a way of folding the ballot paper that does not make it possible for the ink—you know, for the ink to appear in front of another candidate. You do it like this and you fold it. If you don't fold it well, then the ink will also transfer to another candidate. I think they're discussing how to avoid this in the future.*

This is important because when you vote, you can't pick two candidates or your ballot will be disqualified. You can't choose more than one candidate. There's a particular type of local government elections where you can choose more than one candidate, but in the parliamentary and presidential you choose only one candidate.

McCANTS: Were there security features employed such as watermarks or—?

JONAH: *Yes, there are two main distinguishing security features: serial numbers that are peculiar and the authenticating stamp from the particular polling station. So if you go into the ballot box and there is a ballot paper that was actually cast by somebody, it should bear the authenticating stamp of the polling station. If it does not, then it is null and void. So you have the security features that we were talking about. We have the serial numbers that can be confirmed. The particular stations also have the specific authentication stamp.*

McCANTS: Were there any discussions about using electronic voting or other marks and technology?

JONAH: *That alternative has not been raised—electronic voting has never, never been brought up in this country. The only electronic device the EC is considering has to do with the use of biometric technology to register voters. So it is not just your name or your picture, but your fingerprints will also identify you. That is something that is very much under consideration.*

McCANTS: Are party-supplied ballots legal? Ballots that are supplied by the parties themselves.

JONAH: *No parties can supply ballots in Ghana.*

McCANTS: What is—in the most recent election, what was the level of ballot spoilage?

JONAH: *2.37% of the ballots were spoiled.*

McCANTS: Were blank ballots employed as protest votes?

JONAH: *No one knows what proportion was cast as protest. We haven't gone into that kind of study.*

McCANTS: I'd like to talk a little about the activities that occur in the polling stations and at the central electoral offices, including ballot counting. Can you describe the

system of polling centers and stations set up and how well you think that system works?

JONAH: Every polling station should have between three and four officers. The highest officer in a polling station is called a presiding officer. I've seen some people write presiding member but presiding member in Ghana means something different. It is a presiding officer. The polling assistants, the three or four other people who are polling assistants, help you with all the—they give you the ballot paper, they show you where to go next and where to go next and so on. You go and cast your ballot.

So at every polling station you expect to see a minimum of three or four people, the presiding officer plus two or three polling assistants. Then there will be security personnel, there will be election observers and there will be party agents, representatives of the political parties; we'll call them counting agents or polling agents.

McCANTS: How many voters are the polling stations configured to serve?

JONAH: It differs from place to place. I cannot give you the average figure here, I would give you the wrong figure.

McCANTS: In addition to the ballot security measures that we just discussed, are there any additional security measures put in place at polling stations to inhibit vote fraud by election officials or political—?

JONAH: There are security measures. All the ballot boxes are placed in the open. Under no circumstance will a ballot box be placed in a room or behind a screen where nobody will see you voting. So you choose your candidate behind a screen, secretly, but when you cast your ballot you cast it in the open.

Two, the ballot box itself is transparent so people see, the other people, the other voters in the queue see your ballot actually going in. This is also done to prevent ballot stuffing. The third thing is that before we open it—the ballot box will be opened. Even though it is transparent, it must still be opened to show that there is no ballot paper in there before the election starts.

The next is that the ballot papers are counted openly on the table at the polling station. So the candidates, their agents, the parties and their agents, and even some of the voters will be there. So fraud is very difficult.

McCANTS: Are there any elements of these security measures that you would recommend to others?

JONAH: Yes, the transparent ballot box in particular is very important. Voting in the open is also very important. Having party agents there to witness the counting is very important. In particular, I will say that the authenticating stamp, that stamp which is specific to the polling station is very necessary. Otherwise people will stuff it with ballot papers from somewhere else or even fake ballot papers.

McCANTS: How do you preserve the secrecy and integrity of the ballot? Are there steps that you would recommend to others? Are there cautions or warnings that you would maybe offer to others as well?

JONAH: Yes, we preserve the secrecy and the integrity of the ballot through providing a screen behind which the voter selects his or her candidate without anybody

seeing it. That is very, very commendable, the secret ballot. Then coming from behind a screen to cast your ballot in the open is also highly commendable.

McCANTS: Were there any steps introduced for automating ballot tabulation?

JONAH: *No, we have never considered automation. We have considered biometric technology, but automation has never been in our thoughts.*

McCANTS: Roughly how many parties have emerged at the beginning of this electoral period?

JONAH: *We used to have—as of the last election we had ten political parties. About four of them were not active at all.*

McCANTS: Have these numbers changed?

JONAH: *They have changed. We now have ten more political parties, new parties that came in just last year and this year.*

McCANTS: How would you characterize the kinds of parties? Do they have roots in certain regional areas or different cultural groups or economic groups or are they based around particular personalities?

JONAH: *There is no major party in this country that is not based on particular regional or ethnic groups: that is a fact. Almost every party is based either on a particular region or particular ethnic group. Second, parties also tend to be built around particular individuals. I can give you examples, but it may be—.*

McCANTS: You can give an example.

JONAH: *For example, the second largest opposition party is call the National Democratic Congress and it is built around Rawlings, General Rawlings, our former President. He has in fact been made the founder of the party even though now there is conflict between him and the presidential candidate. He is the founder of the party and people respect him as such. Then there is another party called the People's National Convention, PNC. Since 1996 this party has had only one presidential candidate. This is the first time he is entering the race. Even though he is going to lose—everybody knows that he is definitely going to lose, but I wouldn't be surprised if he runs again. The party is basically built around him.*

McCANTS: What responsibilities does the electoral management body have for regulating these political parties?

JONAH: *A lot of responsibilities. One, the electoral body must ensure that the parties have 100 members who come from all the administrative regions of Ghana. If you don't have such membership, too bad, they cannot register you. The election management body must also ensure that the parties have offices in two-thirds of all the administrative districts of Ghana. Don't worry, many of them don't have those. The next responsibility is that the electoral body must ensure that after every election the parties submit accounts on how they funded their election activities. Again, parties don't do it.*

McCANTS: So is there any enforcement of these?

JONAH: *You've come to that—we don't enforce. That's the problem, we don't enforce. Then apart from that, the parties must submit accounts of how they run every*

year. These accounts must show where money came from, whether it was dues, whether it was from donations, whether it was from the sale of different paraphernalia. Then the next regulatory measures stipulate that the electoral body must make sure that the funding of the political parties does not come from abroad. Non-Ghanaians are not allowed to finance political parties.

McCANTS: Can you speak a little more about the enforcement problems, the monitoring problems?

JONAH: *The Electoral Management Body produces an annual report on the extent to which parties are complying with the rules, but it has stopped short of punishing the parties. Even though it is quite clear that the majority of the parties are not complying with the laws at all—let me just take some of them. The rule says that the parties should have offices in two-thirds of the administrative districts of Ghana. Only two parties are able to meet that requirement out of the ten. I told you that another ten parties have just joined. None of those ten parties would be able to meet the requirement because it is very tough to meet. We have 168 administrative districts. Apart from the two largest parties, no party can even meet the requirement.*

Then the law says that the parties should submit their accounts. Only two parties are able to submit accounts regularly, and even for those two parties the accounts submitted are questionable; the quality is not so good. So on the whole I would say that there is an enforcement problem. But let me give you my personal view on the present situation. The EC has not enforced these rules or regulations to the very best of its ability. Some people like me are very happy about it. Because, quite frankly, if the EC were to enforce the rules and regulations we'd have no parties left. You'd have absolutely no political parties left.

Let me give you just two examples. The two largest parties in this country are called the NDC, the National Democratic Congress, and the NPP (New Patriotic Party). You take NDC out and you have virtually a one-party state because the other parties are so weak they cannot challenge the NPP. Or you throw the NPP out and you have a virtually one-party state because the other parties are so weak they cannot challenge the NDC. Yet, on a number of occasions the NDC has not been able to comply with the requirement to submit accounts, financial statements to the EC. If you had disqualified it or banned it, you would have a one-party state in Ghana. So I am not in for very strict enforcement. Let the parties be a bit free.

It is not good not to enforce rules, but in this particular case if you enforced the rules rigorously, what would happen with the apportion of democracy?

McCANTS: Does the Electoral Management Body play a role in vetting candidates or determining what kinds of people may or may not run for office?

JONAH: *I have never heard of the Electoral Management Body vetting candidates in Ghana. They register virtually everybody who is presented by the parties. Rather the parties vet and the party vetting process is very, very thorough. At that level the competition to secure the party's ticket is so keen that it is the other candidates who will point out if somebody is not qualified. But the Electoral Management Body itself does not. If you have a problem with a candidate, go to court and the court will disqualify the person.*

McCANTS: Were there any rules in place that required political parties to register the dates, the time, the place of campaign rallies?

JONAH: *No, not campaign rallies.*

McCANTS: And are political parties required to disclose—you just said this, they're required to disclose their source of revenue but they often don't. Contacting voters can be expensive and often difficult if infrastructure is limited, fuel costs are high and security may be uncertain. What are the main methods that political party leaders use to try to reach potential voters?

JONAH: *This is a good question. Political party leaders try to reach voters through public rallies, billboards, television advertisements and so on and so forth. Now, I teach for the University of Ghana's department of political science, and the research we have conducted indicates that many of these strategies are a bloody waste of money. The most effective method in Ghana is to use the radio because the radio is everywhere. It doesn't even require electricity and most Ghanaian villages don't have any electricity. Simple messages on the radio are more effective than the multimillion dollar billboards that they put in the cities. Nobody looks at them. If you look into it, these strategies don't make any impact at all on voters.*

McCANTS: Do any of these methods have particular advantages or disadvantages with regard to the quality of the election in your view?

JONAH: *I would say that the most advantageous method is to use simple messages on the radio. One, Ghanaians don't like reading manifestos and so forth, they like listening. If you used the radio to communicate your messages you would be doing good work. Then direct campaigning, moving around the farms. Ghanaians like to hear, they like direct communication. The billboards, big billboards and so on and so forth, big television advertisements, hardly ever make any impact on people.*

McCANTS: If you were providing advice to other countries, what steps that you've taken here with respect to regulating political parties and candidates would you recommend?

JONAH: *Number one, the submission of financial statements is very important. It is important for political parties to disclose where their money is coming from, who is financing them and so on and so forth. Number two, the ban on non-Ghanaians financing political parties is also very important. If you don't take care of this, then foreigners will be choosing your rulers for you. The other thing that I think is very important is the requirement that parties establish offices in as many districts as possible. Why is this important to me? We are a multi-ethnic society and we do not want parties that are based on particular ethnic groups or even a particular religion. We've had a dangerous experience in this country where parties were based on—even though this one will not solve the problem entirely because parties are still based on—. But making the effort to reach out to every single Ghanaian is important.*

McCANTS: I would like to talk about the role played by various media in distribution of information about the electoral process. Can you characterize the media in Ghana during this electoral period? Is it government controlled or independent? Are there multiple stations? Newspapers? Are they government owned, independent, or mixed ownership?

- JONAH: *In Ghana, at the moment and unlike in the past, the government has no control over the media. The majority of media houses are privately owned and each one of them has its own political inclination. Because they are mostly commercial media houses, they try as much as possible to play fair if they can. I'll say at the moment the majority of the privately-owned media are pro-government. This is a very, very peculiar situation.*
- McCANTS: Can you tell me more about how the Electoral Management Body or others charged with conducting the election employ the media such as newspapers, radio, TV?
- JONAH: *How they do what?*
- McCANTS: How they employ the media.
- JONAH: *The Election Management Body can hardly ever pass any information to the public without the media. The media is crucial for announcing the days for registration for voters, announcing where the registration will take place. Without the media they cannot—they use the media a lot.*
- McCANTS: How effective do you think the media campaign is in helping people to understand what to do, where to go to register and discouraging behavior that disrupts elections?
- JONAH: *The Ghanaian media are very effective in educating the public or providing the public with election-based information. At the same time some sections of the media, especially the radio stations, sometimes can inflame passions by the kind of discussions they hold. I think the general consensus of the Ghanaian public is that when they invite people to the studios to do discussions, they must control them as much as possible, or prevent them from using inflammatory political language.*
- McCANTS: How does the Electoral Management Body regulate the use of media by political parties, especially with regard to inflammatory speech?
- JONAH: *The Electoral Management Body has no responsibility here, it doesn't control the media. We have a special body, a state-owned body in Ghana to do that. It is called the National Media Commission, NMC. The National Media Commission is a completely independent commission that is responsible for discipline in the media, for regulating the media and so on. So every election they have a special responsibility to ensure that the kind of language the media uses, even in the campaign, some people use children, for example, to campaign against this party. "They killed my father" and so and so. They advise against that. So the National Media Commission is the body responsible for that aspect, not the Electoral Management Body.*
- McCANTS: Has there been an assessment of threats against the process in advance of this election and who conducted this assessment?
- JONAH: *I have a copy of the Afrobarometer but I don't think there were any specific threats to the election; rather there were flashpoints: "it is likely to become a conflict" and so on and so forth. The CDD (Center for Democratic Development) in particular engaged one security aspect to do that and we went to listen to them, I think it is available. The name of the person is (Kofi) Quantson, Security, former Security Coordinator in this country who did the assessment, but that was several months ago.*

McCANTS: Can you give some examples of some security problems that have erupted and how they were dealt with and if you felt they were handled successfully?

JONAH: *With direct reference to elections in this country?*

McCANTS: Yes.

JONAH: *I told you that during this recent registration exercise that will end tomorrow, gunshots had been fired. There was an open fight between the two leading parties. There have been open fights among the potential voters themselves because there were large queues and if anybody jumped a queue, then a fight would start immediately and so on and so forth. There have been several security threats. Gunshots fired, violence between parties, violence between potential voters.*

McCANTS: Which of the threats do you think were handled most successfully and which do you think require more attention?

JONAH: *All of them were handled very, very successfully. The military in some cases moved in. The military moved in very quickly. In other cases the police moved in very quickly. All of them were handled quite well. I can say that the security forces have handled these threats very, very well.*

McCANTS: What are the types of election disputes that arise?

JONAH: *There are several types of election disputes that typically arise. One is alien registration. There are people from other West African countries, neighboring countries like Togo, Burkina Faso, Ivory Coast, who have lived here for some time. Living here for a long time does not entitle you to vote as a Ghanaian. Sometimes people have challenged both the registration and voting. There have also been accusations that they crossed the border during registration time to register, or that they are bussed in by political parties from neighboring countries to come and register in Ghana and vote in the next elections. That's a problem.*

Then we have underage registration and underage voting. You see that a person who has come to register to vote is clearly under 18. Yet, because this is a society where documents are not kept, you have no birth certificate for proof, you have no baptismal card for proof and so on and so forth. That is also a major problem.

Then we have the problem of multiple voting, multiple registration and multiple voting. I don't know why the problem persists. When you vote then they mark you with indelible ink, but I don't know if it is true—people say that lamb juice can very easily erase the ink. If you apply Vaseline before you go to the polling station, after they put it on it is very easy to erase. Then you can go and do multiple registrations, you can go and vote in other stations and so forth. There is that problem, too.

But so far I think the main challenge is the problem of rejected ballots. The thumbprint, you place your thumbprint against your candidate. Invariably people don't do the thumbprint well and it is difficult to determine which candidates the person has voted for. As I told you, the EC is now trying to do something about it with this thick black line, but these are some of the main challenges.

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- McCANTS: Can you describe the adjudication process by which electoral disputes are resolved?
- JONAH: *In some countries they have a special elections court that resolves all disputes arising from elections. In Ghana we have decided not to create a separate judicial body to handle that. So it is handled by the regular judiciary, the regular courts. I must say that some of the cases have taken rather long. Here is an example: somebody was declared winner of an election by the Electoral Commission and another candidate challenged it. He thought—he had gone over the counting and he thought that candidate was not a legitimate candidate. So they took the matter to court. This was a parliamentary candidate. The parliament has a four-year cycle, a term of four years. The judiciary handled this case so badly that by the time they finally decided that it was true that the candidate who won was not a legitimate candidate, he had already finished his term as a member of Parliament. This is the kind of thing we don't want.*
- McCANTS: Does Ghana have an investigative task force to ascertain facts in an election dispute?
- JONAH: *No, we don't have that. It is the Election Management Body itself that does this.*
- McCANTS: What kinds of penalties were assessed for infractions?
- JONAH: *It depends upon the particular offence involved. For example, if you did multiple registrations, it would go anywhere from six months to a year, year and a half. If you were erroneously were declared a winner then you just lost your seat.*
- McCANTS: What would you recommend about the dispute resolution system here that others should consider?
- JONAH: *The dispute resolution here—By putting the resolution of election disputes in the normal judiciary, we have been able to avoid the creation of multiple judicial institutions. On the one hand, yes, we have avoided multiplication of different centers of judicial power, but on the other hand people think that it makes the process of resolution rather slow. So the Chief Justice is considering creating a special high court for resolution of election results within the same judiciary.*
- McCANTS: How does the Election Management Body liaise with observers? How does it interact with election observers?
- JONAH: *They hold office as observers. The office is staffed every election year.*
- McCANTS: How are observers assigned to stations on polling day?
- JONAH: *No, on polling day the Election Management Body does not—you select, every observer selects where he wants to go.*
- McCANTS: Is anyone informed in advance where the observers will be?
- JONAH: *Nobody is informed in advance. The EC will only give you an ID card which authorizes you to observe anywhere. Once you get a card you can choose to observe in as many polling stations or constituencies as possible.*
- McCANTS: What monitoring methods are used? Is there a parallel vote tabulation by observers? That is observers monitor the count of the votes at a random sampling polling station?

- JONAH: No, no election observers in this country monitor or do parallel votes. That is done by the party agents, the polling agents.*
- McCANTS: Are there any steps taken to prevent observers from being bought off or threatened on polling day?
- JONAH: Nobody takes any steps to check integrity. Once you come in as an election observer, they take you on your word.*
- McCANTS: Is there any advice you would offer to others about the use and management of domestic and international observers?
- JONAH: The only thing I would say is that it doesn't become an observer to go to a polling station to observe elections with bias, political bias. Observers should maintain an open mind, look out for the enforcement of election rules and regulations at the polling station. They should check that nothing that is done there is contrary to rules and regulations, not in this period of good governance and democracy.*
- Secondly, every observer whether domestic or international should be very well trained. It doesn't matter if you have observed elections elsewhere in the world: it is important to train, get information about the particular country in which you are conducting the observation. Don't think that you have been to Gambia and Canada and so on and so forth so you can automatically observe in Ghana without any guidance.*
- McCANTS: Are there any other countries whose experiences you have found particularly instructive and what would you say you found most useful in these examples?
- JONAH: I have observed elections in Liberia, in the Caribbean, some Caribbean countries. I would say that our system is superior to the system existing in those countries. For example in the specific Caribbean countries, Antigua and Barbuda where I went, they have an election monitoring body that is constituted by representatives of the political parties, and so they quarrel through and through. You see openly that the chairman of the Election Management Body has said one thing and a member of the body has contradicted. It is not the best. Liberia has just copied from us, they come here to learn.*
- McCANTS: Thank you so much.
- JONAH: You're welcome.*