

FREEDOM IN THE WORLD

Ghana

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OVERVIEW:

Mounting tensions within the ruling National Democratic Congress party culminated in a failed attempt by the wife of former president Jerry Rawlings to replace the incumbent, John Atta Mills, as the party's standard-bearer in the 2012 presidential poll. With the NDC's nomination secured, Atta Mills focused his attention on next year's rematch against Nana Akufo-Addo of the main opposition New Patriotic Party. Concerns over electoral violence prompted major Ghanaian political actors to commit to a code of ethics aimed at discouraging inflammatory campaign rhetoric. Meanwhile, legislation to regulate Ghana's incipient oil sector proceeded at a slow pace.

Ghana achieved independence from British rule in 1957. After the 1966 ouster of its independence leader, Kwame Nkrumah, the country was rocked for 15 years by a series of military coups and experienced successive military and civilian governments.

In May 1979, air force officer Jerry Rawlings led a coup against the ruling military junta; he handed power in September to an elected president, Hilla Limann. However, Limann was overthrown in another coup led by Rawlings in December 1981. Rawlings proved to be brutally repressive, banning political parties and quelling all dissent. While he agreed under economic and political pressure to hold multiparty elections in the late 1980s, the elections were considered neither free nor fair, and Rawlings and his National Democratic Congress (NDC) party remained in power. The 1996 elections were generally respected at home and abroad, but Rawlings and the NDC again retained their positions.

In 2000, free and fair presidential and parliamentary polls led to a peaceful transfer of power from Rawlings—who was forced to step down due to term limits—and the NDC to opposition leader John Kufuor and his New Patriotic Party (NPP). Kufuor secured 57 percent of the vote, while NDC candidate John Atta Mills captured 43 percent. Kufuor was reelected in 2004 with 52 percent of the vote, defeating Atta Mills, who captured 45 percent, as the NDC alleged irregularities. The NPP won 128 seats in concurrent legislative elections, while the NDC took 94. Although there were reports of sporadic violence and a few incidents of intimidation and other irregularities, domestic and international observers judged the elections to be generally free and fair.

In advance of the December 2008 presidential election, the NPP faced internal divisions as over 20 candidates vied for the party's nomination. Ultimately, former foreign minister Nana Akufo-Addo was chosen over Kufuor's preferred candidate, Alan Kyerematen. Akufo-Addo and many of his supporters belonged to the Akyem ethnic group, while Kufuor and Kyerematen were Ashanti, illustrating how ethnocultural rifts often complicated political divisions. Meanwhile, the NDC chose Atta Mills as its candidate for the third time.

2012 SCORES

STATUS

Free

FREEDOM RATING

1.5

CIVIL LIBERTIES

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POLITICAL RIGHTS

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While problems with voter registration and fighting between NDC and NPP supporters were reported before and during the vote, the election was ultimately viewed as a success by domestic and international observers. The January 2009 inauguration of Atta Mills, who narrowly won the runoff with 50.23 percent of the vote, marked the second peaceful, democratic transfer of power in Ghana. The NDC also won concurrent parliamentary elections, taking 114 seats while the NPP secured 107.

During his first three years in office, Atta Mills has faced the difficult task of attempting to fulfill at least some of his campaign pledges while also steering Ghana through the global economic crisis. Some NDC supporters, backed by Rawlings, have complained about the president's inability to make good on his promises or to "support those who supported him"—a reference to the patronage networks underlying Ghanaian politics. During the party's July 2011 party congress, Rawlings's wife, Nana Konadu Agyemang Rawlings, challenged Atta Mills for the right to represent the NDC in the 2012 presidential election. Although Atta Mills survived this challenge, the Rawlings family continued to voice its displeasure with his leadership. In August 2010, the NPP had again nominated Akufo-Addo to serve as its presidential candidate.

Ongoing divisions within the NDC have led many observers to predict that the 2012 presidential and legislative polls will be decided by a razor-thin margin. The ruling party's vulnerability, coupled with growing government revenues from the Jubilee offshore oilfield, ensure that the elections will be fiercely contested and have raised concerns that electoral violence could break out. In an effort to address this potential danger, in August 2011 all major political parties agreed to adhere to a code of ethics that call for them to sharply curtail vitriolic campaign language and to publicly denounce any intimidation or violence that did occur. The establishment of enforcement bodies to deal with transgressors was proposed in an effort to ensure compliance.

While Ghana has been working to move away from donor dependency, Atta Mills's government has been forced to make exceptions to counter the effects of the economic crisis. In 2009, it was awarded \$1.2 billion in interest-free loans over three years from the World Bank and \$602.6 million from the International Monetary Fund to help tackle "macroeconomic instability." During Atta Mills's visit to Beijing in October 2010, Ghana and China signed agreements totaling \$15 billion in support of infrastructure projects in the country. Ghana started producing oil for the first time in December 2010; however, growth has been slowed by the government's inability to quickly establish regulatory frameworks.

POLITICAL RIGHTS AND CIVIL LIBERTIES:

Ghana is an electoral democracy. The December 2008 presidential and parliamentary elections were considered fair and competitive. The president and vice president are directly elected on the same ticket for up to two four-year terms. Members of the unicameral, 230-seat Parliament are also elected for four-year terms. The political system is dominated by two rival parties, the NPP and the NDC.

One of President John Atta Mills's campaign promises was to fight corruption and improve governance. The NDC administration has used the Bureau of National Investigation to examine corruption allegations against a number of former NPP officials, including former president John Kufuor's health, information, and foreign ministers. While many Ghanaians have supported these anticorruption efforts, NPP officials allege that the cases are politicized. In the summer of 2010, NPP leaders accused the government of corruption when documents regarding a \$10 billion housing deal with the company STX Korea were not made available for review by Parliament. Nonetheless, the government signed an agreement to commence construction in December. Observers have voiced concern over the glacial pace of Accra's efforts to set up regulatory institutions to manage Ghanaian hydrocarbon production. Ghana was ranked 69 out of 183 countries surveyed in Transparency International's 2011 Corruption Perceptions Index.

Freedom of expression is constitutionally guaranteed and generally respected.

Numerous private radio stations operate, and many independent newspapers and magazines are published in Accra. However, the government occasionally restricts press freedom in practice through harassment, arrests, and criminal charges. Section 208 of the 1960 Criminal Code bans “publishing false news with intent to cause fear or harm to the public or to disturb the public peace.” In June 2011, the High Court found the publishers and editors of the *Chronicle*, a privately owned daily newspaper, guilty of defaming a university professor in two 2009 articles and imposed approximately \$331,500 in fines and damages. On August 9, the Accra offices of the *Chronicle* were sealed off by police and court officers; it resumed publication later that month.

Religious freedom is protected by law and largely respected in practice. While relations between Ghana’s Christian majority and Muslim minority are generally peaceful, Muslims often report feeling politically and socially excluded, and there are few Muslims at the top levels of government. Both domestic and international human rights observers have reported a high incidence of exorcism-related physical abuse at Pentecostal prayer camps. Academic freedom is legally guaranteed and upheld in practice.

The rights to peaceful assembly and association are constitutionally guaranteed, and permits are not required for meetings or demonstrations. However, in March 2011, teachers’ union members who were conducting a peaceful march against a new wage policy were subjected to beatings, tear gas, and arrest by police in Accra. Civil society organizations have noted that NDC “foot soldiers”—activists that assist NDC campaigns by distributing literature and generating crowds, among other activities—have become increasingly disgruntled with the government and have reportedly harassed and attacked state officials, with few consequences. In August, police in Ho, capital of the Volta region, broke up a demonstration by NDC supporters who were protesting against alleged incompetence by local party officials. Eight demonstrators were arrested and later released on bail. Nongovernmental organizations were generally able to operate freely.

Under the constitution and 2003 labor laws, which conform to International Labour Organization (ILO) conventions, workers have the right to form and join trade unions. However, the government forbids industrial action in a number of essential industries, including fuel distribution, public transportation, and the prison system.

Ghanaian courts have acted with increased autonomy under the 1992 constitution, but corruption remains a problem. Scarce resources compromise the judicial process, and poorly paid judges are tempted by bribes. The Accra Fast Track High Court is specifically tasked with hearing corruption cases involving former government officials, but many observers raised doubts about its impartiality and respect for due process under the Kufuor administration. In August 2010, the chairman of the NDC urged the chief justice to “purge” the judiciary of corruption or face government intervention, leading critics to condemn the NDC for attempting to infringe upon the judiciary’s independence.

Prisons suffer from overcrowding and often life-threatening conditions. In an attempt to reduce overcrowding, a government initiative introduced in 2008 has led to the release of some prisoners who had been on prolonged remand without trial. A 2009 presidential pardon of 1,021 prisoners eased some of the strain on prison infrastructure.

Communal and ethnic violence occasionally flares in Ghana. In March 2010, tensions rose in the Brong Ahafo region between the Tuobodom and Techiman groups, resulting in three deaths. Some argued that the regional police failed to prevent the escalation of violence, though a government investigation into the incident was ongoing at year’s end. Other isolated cases of communal and ethnic violence occur periodically, including several ritual killings and lynchings of suspected thieves.

Despite equal rights under the law, women suffer societal discrimination, especially in rural areas where opportunities for education and wage employment are limited. Notwithstanding legal protections, few victims report cases of rape or domestic violence because of persistent social stigmas. However, women’s enrollment in universities is increasing, and there are a number of high-ranking women in the current government. Sodomy remains

illegal in Ghana; in November 2011, police in the port city Tema arrested three men for allegedly performing homosexual acts.

The country serves as a source, transit point, and destination for the trafficking of women and children for the purposes of labor and sexual exploitation. In 2009, following undercover work conducted by a journalist working for the *New Crusading Guide* newspaper, three Chinese nationals were sentenced to a combined 36 years of hard labor for trafficking fellow Chinese for prostitution in Ghana.

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