



## Blighting the 'Bright Star' through Constitutional Tyranny: Nana Akufo-Addo and Democratic Backsliding in Ghana

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### Abstract

This article examines the concerning trend of democratic decline in Ghana under President Nana Akufo-Addo by discussing how constitutional powers can become weapons against democracy itself. Once celebrated as Africa's democratic beacon, Ghana now stands as a stark warning of how executive overreach can systematically dismantle democratic safeguards. Through calculated manipulation of his presidential powers, Akufo-Addo has orchestrated a sweeping capture of three pillars of democracy: the judiciary, the Electoral Commission, and the Auditor-General's Office. By installing party loyalists in these crucial institutions, he has transformed independent oversight bodies into instruments of presidential power. Documentary evidence exposes a pattern of strategic appointments that have corroded Ghana's democratic foundation, replacing merit with political allegiance and institutional independence with partisan control. This systematic erosion of checks and balances has birthed a new form of autocracy – one that wields constitutional powers to create what can only be described as "constitutional tyranny." Ghana's unfolding crisis demonstrates how democracy dies not through dramatic coups but through the subtle manipulation of legal mechanisms, as Akufo-Addo's administration masterfully exploited constitutional loopholes to consolidate power and silence opposition. The nation's dramatic transformation from a democratic exemplar to a cautionary tale sends a chilling message to emerging democracies that constitutional powers, without robust institutional independence, can become tools for democracy's destruction.

### Keywords

Democratic Decline, Constitutional Tyranny, Judicial Appointments, Electoral Commission, Democratic Temperament, Ghana

### 1. Introduction

Ghana is often portrayed as a poster child of successful democracy in Africa due to its ability to manage electoral competition and democratic turnovers without the violence and tensions associated with elections in other countries in the region (Bob-Milliar & Paller, 2018; Daddieh &

Bob-Milliar, 2014; Graham et al., 2017; Kpessa-Whyte & Abu, 2021; Ookeditse, 2021; Molutsi, 2005). Scholarly interest in Ghana's politics has heavily focused on elections and electoral behaviour neglecting the extent to which decisions and actions of officeholders shape the country's governance trajectories and democratic health (Kpessa-Whyte & Atuguba, 2020). Nonetheless, governance rating agencies such as Freedom House have consistently included Ghana in the list of African countries considered democratically free (Kumah-Abiwu & Darkwa, 2020). This framing of Ghana's democracy is legitimized by the country's ability to depart from years of political instability since the mid-1960s and embrace periodic elections as both a mechanism for choosing leaders and exacting accountability (Bob-Milliar, 2023).

Since 1992, Ghana has successfully organised nine periodic presidential and parliamentary elections, resulting in shifts in political power between parties. Consequently, although Ghana's democracy is constitutionally based on a competitive multiparty system, it has over the years entrenched a two-party framework involving the centre-left National Democratic Congress (NDC) and the right-of-centre New Patriotic Party (NPP). While "it is widely agreed in the literature that defining democratic consolidation is problematic" (Haynes, 2003:49), Ghana has, since its third-wave transition passed Huntington's (1991) 'two-turnover' test. Both the NDC and NPP have alternated in power, each serving two eight-year terms since the transition to democratic constitutional rule. However, it is debatable whether Ghana has passed Juan Linz' democracy as "the only game in town" test (Linz & Stephan, 1996). Despite three decades of constitutional rule, a study published by the United Nations Development Programme (UNDP) reveals that Ghana is experiencing a governance deficit, jeopardizing the gains of democratic consolidation (UNDP, 2019). The study reports "significant deterioration in overall government effectiveness (-12%), followed by control of corruption (-6%) and the quality of regulatory institutions (-4%)" (ibid: 1-2)<sup>1</sup>.

This article draws from the Ghana experience to show how political executives exploit their constitutional powers of appointing officials to circumvent checks and balances intended to limit government power and consequently undermine the process of democratic consolidation. In particular, it examines the concerning trend of democratic decline in Ghana under the leadership of President Nana Akufo-Addo by analysing how he utilised his constitutional authority, especially the power of appointment and dismissal, to undermine the independence of key institutions such as the Judiciary, the Electoral Commission, and the Auditor-General's office, ultimately contributing to democratic backsliding in Ghana. We argue that the country's president, Nana Akufo-Addo, cleverly, albeit disingenuously, used the authority constitutionally vested in the presidency to capture, co-opt, and subordinate state institutions to his favour. We demonstrate the crafty ways in which the president deployed his authority to appoint public officeholders, causing them to abandon their neutrality and be whipped into compliance and support of the Executive. This resulted in unprincipled decisions by these institutions in a manner that overtly supported and emboldened the president to blight Ghana's once bright democratic prospects. Specifically, we focus on the Judiciary, the Electoral Commission (EC), and the Auditor-General (AG) due to their crucial role in the practice of good governance and progressive development in a functioning state.

This is qualitative research that draws on documentary analysis. Documentary analysis involves a systematic process of evaluating both published and unpublished documents, either printed or electronic in a methodical manner (Grant, 2018; Bowen 2009). Like other qualitative data gathering and analytical approaches to research in the Social Sciences, documentary

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<sup>1</sup> United Nations Development Program Policy Brief on Governance and Politics in Ghana. The full report can be found at: [www.undp.org/sites/g/files/zskgke326/files/migration/gh/Governance-and-Political-Analysis-in-Ghana--Policy-Brief\\_UNDP-Ghana.pdf](http://www.undp.org/sites/g/files/zskgke326/files/migration/gh/Governance-and-Political-Analysis-in-Ghana--Policy-Brief_UNDP-Ghana.pdf) accessed on 04.04. 2024

analysis involves examining and interpreting documents as data for different sources relevant to a study. This helps the researcher to unearth meaning, achieve understanding, and empirically advance knowledge on an issue. The article relied on documents as primary sources of information, such as official documents containing statements by public officials, newspaper publications, and news media reports on the actions of Akuffo Addo, to form the thrust of our analysis. The resort to these sources of data enabled us to access reliable materials that have not been interfered with or affected by researchers' presence, such as in instances of Focused Group Discussions or Interviews.

The article is structured into six sections. The next section provides a brief conceptual discussion of the phenomenon commonly referred to as democratic backsliding in scholarly debates. The third focuses on the evolution of Ghana's Fourth Republic, contextualising the issues that foreground this study. The fourth section examines three cases relating to appointments and dismissals by Akufo-Addo, involving Ghana's Judiciary, the Electoral Commission, and the office of the Auditor-General. The analytical reflection on these cases against the backdrop of democratic principles, good governance, and qualities of democratic temperament is offered in the fifth section. In the concluding section, we highlight the core arguments of the paper and draw attention to avenues for further research to enhance the quality of democratic and ethical public leadership and governance in Ghana and beyond.

## 2. The Idea of Democratic Backsliding

The optimism that welcomed the rise of liberal democracy in the early 1990s, following the end of the Cold War, seems to have diminished. This shift is due to the emergence of recession, decline, and democratic backsliding in various countries over the past decade (Laebens & Lührmann, 2021). Notably, the number of countries experiencing democratic backsliding or autocratisation has increased from less than 10 to approximately 25 within a decade (Hellmeier et al., 2021). This phenomenon affects major powers like Brazil, India, Turkey, and the United States of America, as well as smaller nations such as Benin, Bolivia, Mauritius, and Ghana. The decline in democratic practice is characterised by several key factors. These include the use of constitutional measures to suppress constructive dissent, the erosion of media freedom (particularly targeting opposing outlets), and the repression of academic and civil society institutions. Furthermore, ruling parties and elites often employ both state and non-state actors to polarize civil and political discourse, especially targeting political opponents and activist groups (Laebens & Lührmann, 2021).

Waldner and Lust (2018: 95) define democratic backsliding as "a process related to yet still distinct from reversion to autocracy." This process involves the deterioration of democratic governance in both established democracies and autocratic regimes that possess democratic elements. Democratic backsliding is a stage in a country's democratization process where political leaders, through their actions and decisions, demonstrate diminished commitment to democratic ethos and ethical fidelity to public office, resulting in the faulty practice of democracy and constitutionalism. This waning allegiance to the principles of democratic ethos and practice results in what is known as *authoritarian constitutionalism* (Tushnet, 2014). Countries in such a state of affairs are classified as electoral autocracies, where violence-ridden elections become vehicles for cementing the use of democratic institutions and state laws to limit accountability, constitutional measures, and the freedoms of expression in the press, academia, civil society, and opposition parties (Laebens & Lührmann, 2021; Tushnet, 2014).

Basically, the process of democracy backsliding is not a sudden or dramatic event, but rather "a discontinuous series of incremental actions, not a one-time coup de grâce" (Waldner

& Lust, 2018: 95). This gradual nature of eroding the tenets of constitutional democratic practice distinguishes backsliding from outright democratic breakdown or regime change. The phenomenon of democratic backsliding is characterised by several key features. Firstly, it occurs on multiple fronts simultaneously, affecting various aspects of democratic governance. As Waldner and Lust (2018: 95) articulate, backsliding involves making "elections less competitive without entirely undermining the electoral mechanism; [restricting] participation without explicitly abolishing norms of universal franchise seen as constitutive of contemporary democracy; and [loosening] constraints of accountability by eroding norms of answerability and punishment." This approach allows for the erosion of democratic norms while maintaining a façade of democratic legitimacy.

Democratic backsliding is often initiated and perpetuated by democratically elected governments themselves, rather than external actors or opposition groups. This internal origin makes the process particularly insidious, as it exploits the very mechanisms of democracy to undermine democratic principles. Bauer and Becker (2020) emphasize that incumbent governments frequently employ clandestine methods to erode democratic standards, rendering backsliding a more significant threat to democracies than traditional forms of regime change such as revolutions or coups. A critical aspect of democratic backsliding is its distinction from complete democratic breakdown. While the latter involves an abrupt and often violent transition to autocracy, backsliding is more subtle. Matlosa (2023: 337-338) eloquently describes it as "a drawn-out death by a thousand cuts, in which power-hungry executives slice away at the fundamental institutional checks and balances in ways that ultimately distort pluralism and political competition." This gradual erosion makes backsliding particularly challenging to identify and counteract in its early stages. The manifestations of democratic backsliding are diverse and context-dependent. However, common tactics include the concentration of power in the executive branch, often referred to as *executive aggrandizement* (Bauer & Becker, 2020). This typically involves suppressing media freedom, manipulating electoral processes, and undermining institutional checks and balances. Other manifestations include the gradual restriction of civil liberties, the erosion of judicial independence, and the weakening of opposition parties and civil society organizations.

The phenomenon of using the concentration of executive power to subvert the principles of democracy has also been described as a constitutional tranny (e.g. see Hallett, 2012). The concept of "constitutional tyranny" has been a subject of extensive scholarly discourse within the fields of political science, constitutional law, and democratic theory. Constitutional tyranny refers to a situation where a government ostensibly governed by a constitution nonetheless exhibits authoritarian tendencies and a concentration of power that undermines the core principles of democracy (Hallett, 2012; Prochaska, 2012). This phenomenon has proven to be a significant obstacle to the process of democratic consolidation, which entails the solidification of democratic norms, institutions, and practices within a political system (Linz & Stepan, 1996). Several key factors contribute to the emergence of constitutional tyranny and its deleterious effects on democratic consolidation. Firstly, the tendency of some political actors to exploit ambiguities or loopholes within constitutional frameworks to accumulate power and circumvent democratic checks and balances (Ginsburg & Huq, 2018). This includes the manipulation of electoral processes, the erosion of judicial independence, and the undermining of civil liberties and political rights (Levitsky & Ziblatt, 2018). Secondly, polarisation and the breakdown of democratic norms and institutions tend to facilitate the rise of constitutional tyranny. As such, when political discourse becomes increasingly acrimonious, and the willingness to compromise and engage in good-faith cooperation diminishes, it creates an environment conducive to the emergence of authoritarian tendencies, even within the

confines of a formally democratic system (Arendt, 1951; Schedler, 2015). Indeed, the concentration of power within the executive branch is a key factor in the development of constitutional tyranny. When the executive branch wields disproportionate influence over the legislative and judicial branches, it can lead to the erosion of checks and balances, the marginalisation of dissenting voices, and the consolidation of the ruling party's grip on power (Ginsburg & Huq, 2018; Levitsky & Ziblatt, 2018).

It is crucial to acknowledge that the concept of democratic backsliding is not without its critics and debates within academic circles. Some scholars argue that the term presumes a liberal definition of democracy, potentially neglecting alternative interpretations of democratic governance (Bauer & Becker, 2020). Additionally, ongoing discussions persist regarding the precise measurement and assessment of backsliding, with critics pointing to the subjective nature of many evaluations. The conceptualization of democratic backsliding also varies in terms of its scope and timescale. As Knutsen et al. (2024: 164) note, backsliding "could refer to country-specific trends or phenomena at a regional or global level." Furthermore, it can be understood as "a short-term phenomenon (occurring within a year) or a long-term process (occurring over multiple years) or even an entire 'episode'" (Knutsen et al., 2024:164). This flexibility in conceptualization allows for an understanding of democratic erosion across different contexts and timeframes. In the global context, while there is general scholarly consensus on a decline in democratic standards worldwide (Diamond, 2015; Przeworski, 2019), the extent and nature of this decline remain subjects of debate (Bauer & Becker, 2020). While some argue that we are witnessing a crisis of liberal democracy (Przeworski, 2019), others suggest that claims of democracy's demise may be exaggerated (Hennemeyer, 2011). Nevertheless, the evidence points to a concerning trend of erosion in democratic governance across various regions.

The measurement of democratic backsliding presents significant challenges, primarily due to the need to quantify subtle, incremental changes within political regimes. As Waldner and Lust (2018) note, existing indicators suffer from limitations' including inconsistent usage of the term, limited scope, and aggregation issues. These challenges highlight the importance of careful indicator selection and a nuanced understanding of the subcomponents within broader regime-type indicators. The theoretical underpinnings of democratic backsliding draw from various frameworks, including agency-based theories, political culture theories, political institutions theories, political economy theories, social structure and political coalition theories, and international factors theories. Waldner and Lust (2018: 97) argue that understanding democratic backsliding requires moving beyond individual theory families and embracing a synthetic approach that considers the interplay of "agency, institutions, political economy, social structures, cultural factors, and international influences." The role of populism in driving backsliding is a crucial aspect of this phenomenon. Bauer and Becker (2020) cite Mudde and Rovira Kaltwasser (2017:6), who define populism as a "thin-centred ideology" that divides society into "the pure people" and "the corrupt elite." They note that populists often attack the "noncontroversial" aspects of democracy, aiming to discredit pluralism, dissent, and opposition. The manifestation of democratic backsliding in public administration is particularly significant. Bauer and Becker (2020) identify four main goals of populist public administration policy: capture, reform, dismantle, and sabotage. These goals are pursued through various strategies, including centralization of structure and resources, politicisation of personnel and norms, and reduction of accountability. As Bauer and Becker (2020: 20) state, populists employ various strategies, often mirroring those used to strengthen political control over the bureaucracy but applied more intensely and justified by the purported "will of the people." This

approach to public administration can significantly contribute to the erosion of democratic norms and institutions.

The legacy of colonialism plays a significant role in discussions of democratic backsliding in Africa. Many African nations inherited weak institutional frameworks and entrenched patterns of authoritarian rule from their colonial past, creating vulnerabilities to democratic erosion (Matlosa, 2023). Weak state capacity, exacerbated by corruption and inefficiency, hinders effective governance and erodes public trust in democratic institutions. Matlosa (2023) argues that limited state capacity fosters conditions conducive to backsliding, as citizens may lose faith in democracy's ability to deliver tangible benefits. This disillusionment can pave the way for the resurgence of authoritarian tendencies, further undermining democratic norms. Additionally, the manipulation of ethnic identities for political gain remains a significant obstacle to democratic consolidation in Africa. By intensifying societal divisions, this manipulation compromises social cohesion and provides opportunities for backsliding leaders to exploit existing fault lines (ibid.). However, it is essential to avoid viewing democratic backsliding in Africa as a uniform or inevitable process. The continent's diverse political systems and historical experiences defy simplistic categorisations. This diversity is evident in the varying trajectories of electoral management body (EMB) autonomy across African countries (Brobbe, 2022). While some countries have experienced declines in EMB autonomy, others have shown improvements, highlighting the complex and non-linear nature of democratic development in Africa (Campion & Jega, 2023).

External factors wield considerable influence in shaping the trajectory of democracy in Africa. The decline in donor support for democracy promotion, coupled with the increasing influence of alternative development models, has created new challenges for African democracies. The COVID-19 pandemic further exacerbated these challenges, providing opportunities for some leaders to consolidate power and restrict democratic freedoms under the guise of emergency measures (Matlosa, 2023). Despite these challenges, there remains a strong demand for democratic governance among African citizens, evidenced by ongoing popular mobilization and the resilience of civil society organisations. As Soukolgué (2023) observes that, despite facing increasing restrictions in some contexts, civil society organisations continue to play an important role in promoting democratic values, monitoring elections, and advocating for greater transparency and accountability. This enduring commitment to democratic principles provides a source of hope amidst concerns about backsliding. Innovations in governance and electoral administration offer potential avenues for strengthening democratic institutions. Champion and Jega (2023) highlight ongoing efforts to strengthen democratic institutions and promote good governance in Africa, including innovations in electoral administration and initiatives aimed at enhancing the capacity of EMBs and promoting civic education. These efforts demonstrate the ongoing dynamism and potential for democratic resilience in Africa. The role of electoral assistance in mitigating democratic recession in Africa presents a complex picture. While Soukolgué (2023) acknowledges the positive impacts of electoral assistance in countries like Libya, Madagascar, and Nigeria, he also emphasises its limitations. He argues that the effectiveness of electoral assistance hinges on the political will of the recipient government, highlighting instances where lack of government cooperation has hindered the impact of assistance efforts.

### **3. Context of Ghana's Fourth Republic**

After years of postcolonial political instability, Ghana transitioned to democratic rule following a referendum in April 1992 that witnessed an overwhelming endorsement of a new constitution, returning the country to civil rule (Ayee, 1993). Ghana's ability to manage three transfers of

power from one party to another by 2016 is considered by many as a major achievement within the framework of democratic consolidation, partly because three previous democratic initiatives in 1960, 1969, and 1979 were unsuccessful. The process of transition occurred under the leadership of Jerry John Rawlings, whose military administration, the Provisional National Defence Council (PNDC), with high-profile civilian appointees drawn from different professional backgrounds, carefully guided the process of transition in Ghana. The PNDC took into consideration previous experiences that culminated in the present and enduring governance arrangement based on the principles of constitutionalism and citizens' right to self-determination (Awal, 2012; Fobih, 2011; Kpessa-Whyte and Atuguba, 2020). The framers of the current Republic borrowed aspects of constitutional and democratic-institutional arrangements from past Republics to ensure that the decisions and actions of governments and their assigns are for the collective interest. This is meant to mediate state-society relations within the political system for a deepened sense of the democratically lived experience of citizens.

Thus, the primary responsibility of governance institutions under the current Fourth Republic is to internalise the democratic and constitutional spirit of the Fourth Republica Constitution, including through the evolution of conventions to navigate institutional, political, economic, and societal interactions. Since its birth, the normative nature of politics and governance under Ghana's current dispensation has witnessed relative stability and growth over the years (Bob-Milliar & Paller, 2018; Daddieh & Bob-Milliar, 2014; Morrison, 2004). This is partly due to successive governments courting and relying on a range of expertise from other sectors of society in the administration of the state as a means of engendering democratic acceptance (Arthur, 2010). Since its inception, the actions and decisions of key political actors and institutions of state have led to the formalization of democratic ethos as the means for governing the polity.

Ghana has conducted nine presidential and parliamentary elections since returning to constitutional rule, several of which have resulted in smooth and peaceful transfers of power between political parties. Notably, electoral outcomes have led to shifts in political power: from the National Democratic Congress (NDC) to the New Patriotic Party (NPP) in 2001, back to the NDC in 2009, and again to the NPP in 2017. The outcome of the 2024 elections also points to a transfer of power back to the NDC in January 2025. These developments are significant for two primary reasons. First, it marks the first time since independence that a Ghanaian Republic has maintained constitutional governance without military intervention. Second, it distinguishes Ghana from its regional counterparts, many of which are still grappling with the aftermath of electoral violence (Owusu-Mensah & Rice, 2018: 45). The commendable handling of electoral disputes and transitions continues to uphold the integrity of Ghana's Fourth Republic. However, it is important to note that true democratic deepening extends beyond the regular conduct of elections. African democracy literature extensively praises Ghana's democratic achievements, particularly its ability to navigate delicate electoral situations and ensure peaceful power transfers (Agomor et al., 2020; Jeffries, 1998; Omotola, 2010). Since Nana Akufo-Addo assumed the presidency in 2017, Ghana's democracy has been characterised by an executive authority that "learned to talk democratically and walk autocratically, maintaining a legal façade of democracy" (Tudor, 2023: 130), while systematically eroding major pillars of the country's democratic structure. While this study builds on the existing analyses of democratic practices in Ghana and beyond, its focus on leadership maneuvering in the operationalisation of democratic institutions, and the accompanying decline in the quality of democracy in Ghana, makes a major contribution to our understanding of how democracy can harbour the seeds of its destruction.

#### 4. Constitutional Tyranny Under Nana Akufo Addo

The 1992 Constitution of Ghana establishes a tripartite system of government, comprising the executive, legislative, and judicial branches, each with defined powers and responsibilities. This system of checks and balances aims to prevent the concentration of power in any single branch and ensure governmental operations adhere to constitutional boundaries (Amoateng, 2012). However, in practice, the implementation of these checks and balances has been uneven, with the executive branch exerting considerable influence over the others. This is mainly because the president is vested with enormous powers. These include the appointment of cabinet members, Council of State officials, and other key government positions (Constitution of Ghana, 1992, Article 58). The president also possesses the authority to assent to or veto parliamentary bills (Article 106) and can declare a state of emergency, assuming extraordinary powers during crises (Article 31).

Moreover, the Constitution empowers the President to appoint various public officers, including the Chief Justice and other Supreme Court Justices, the Electoral Commission's Chairman and members, the Auditor-General, the Commissioner for Human Rights and Administrative Justice, and District Chief Executives (Republic of Ghana, 1992: Articles 70, 144, 146, 187, 218, and 243). The President's appointment powers extend to Ambassadors, High Commissioners, and other diplomatic representatives (Republic of Ghana, 1992: Article 73). Generally, the President is directed by the Constitution to appoint Ministers and Deputy Ministers for vetting and confirmation by Parliament, before such nominees can serve. Hence, Article 78(1) prescribes for ministers of state to be "appointed by the president with the prior approval of parliament from among members of parliament or persons qualified to be elected as members of parliament, except that the majority of ministers of state shall be appointed from among members of parliament". Similarly, in the case of constitutionally mandated institutions such as the Supreme Court, Auditor-General, Public Services Commission, and the Electoral Commission, the President is mandated by Article 70 (1)(2) to make such appointments either in consultation with or on the advice of the Council of State. In cases where the President appoints in consultation or on the advice of the Council of State, the nominees for such a position may be more than a single candidate for consideration before the president proceeds with the appointment process, but the constitution does not prescribe any limits. However, this is not mandatory in the sense that the constitution is silent on the exact processes to be followed in making such an appointment process. For instance, with the appointment of Commissioners of the Electoral Commission, among other statutory institutions, the president gets the Council of State to advise on whichever person is nominated. In the case of the Justices of the Supreme Court, the Constitution specifies that appointments by the president require parliamentary approval. While in theory, this was intended to provide a check on abuse of discretion in appointments by the president, in practice, parliamentary majorities of the president's party have undermined its effectiveness. In the end, Ghana is left with a process where presidents have a free hand to appoint senior officers for institutions like the Electoral Commission and the Auditor-General without any hindrance, and justices to the Supreme Court without the effective oversight required by parliament.

The Constitution entitles a president to (dis)appoint any citizen to work with. Likewise, it makes provisions for such appointments to be moderated by both Parliament and the Council of State to ensure nominees are not only qualified but satisfy all civic essentials for holding public office. In this case, it can be argued from the perspective of the framers of the constitution that they anticipated a situation where individuals who occupied the positions of the state institutions would exhibit thoughtfulness and be free from intoxicating influences



from any section of society. As subsequent cases demonstrate, the exercise of appointment powers without due regards for democratic principles can erode public confidence in democratic processes and diminish trust in political institutions (Bewel et al., 2022). It is within this context that Nana Akufo-Addo's actions in appointing and dismissing public officeholders reveal deficiencies in the design of democratic institutions. Consequently, it can be said that not all persons who aspire for the highest office of the land can be expected to exhibit sobriety in executing the functions of the Office of the President. In such a situation, the Constitution creates an imperial president blighting ideals and principles of constitutionalism it enshrines.

#### ***4.1. Unprincipled Judicial Appointments***

The power to appoint justices of the superior courts is constitutionally vested in the President, whose nominees are vetted and approved by the Parliament. Article 44(1) of the 1992 Constitution states that, "the Chief Justice shall be appointed by the President acting in Consultation with the Council of State and with the approval of Parliament" (Republic of Ghana, 1992). A few months after taking the oath of office as the president of Ghana in 2017, Nana Akufo Addo faced a vacancy in the office of the Chief Justice due to the statutory retirement of Justice Georgina Wood. In filling this position, Akufo Addo appointed his cousin, Ms. Sophia Akufo, as the Chief Justice. Although Ms. Akufo was well qualified for the position, she was certainly not the only qualified candidate by rights. Her appointment fuelled prevailing perceptions that the President was keen on using his constitutional power to appoint public officeholders as a means to reward family and friends and control state institutions. This perception was particularly sensible because Ms. Akufo had only a few months left before her own statutory retirement. Subsequently, the president appointed approximately 160 judges to fill vacant and newly created positions at various levels of the judiciary, from lower to superior courts. This action generated concerns, especially due to perceptions that the president had appointed to the judiciary, members of the NPP<sup>2</sup>, his family<sup>3</sup>, and cronies<sup>4</sup>.

When Ms. Sophia Akufo retired, Akufo Addo appointed Mr. Anim Yeboah, a well-known sympathizer of the NPP. During the 2012 election petition at the Supreme Court, Yeboah was the only justice who ruled in favour of the NPP on all the issues before the court. Beyond being a restitution for his loyalty to the NPP, Yeboah's appointment was also seen as a reward to the Ashanti region, where the NPP has always received massive electoral support. Positions at the superior courts, in particular, were treated as rewards for party loyalists. For instance, in April 2024, Nana Akufo Addo submitted a list of 20 individuals to the Parliament for appointment to the Court of Appeal, including 12 Justices of the High Court and 8 lawyers<sup>5</sup>. This list prominently featured well-known members of the NPP, such as Yaw Opong and Adusei Poku, who had previously served as political appointees of Akufo Addo. Under Akufo Addo, the number of justices on the Supreme Court increased from nine to 20, with most new additions drawn from persons with family ties, friends, and party loyalists. The appointment of Ernest Yao Gaewu, who was once a parliamentary candidate for the NPP in Ho Central in the Volta region, to the Supreme Court has been perceived as a reward for his loyal service to the party and appeasement of Justice Jones Dotse, who was promised the job of Speaker of Parliament but

<sup>2</sup> See as reported here: <https://www.modernghana.com/news/1256206/npp-has-packed-judiciary-with-over-80-cronies-to.html>; and also <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Reports-on-card-bearing-NPP-Judiciary-members-true-NDC-MP-1837049> accessed on 07.11.2023.

<sup>3</sup> <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/NPP-Creates-Akufo-Addo-shares-with-his-family-537936> accesses on 11.08.2023

<sup>4</sup> <https://theheraldghana.com/akufo-addo-pushing-cronies-into-judiciary-to-dodge-accountability/>

<sup>5</sup> <https://dailyguidenetwork.com/president-akufo-addo-submits-20-names-for-appointment-to-the-court-of-appeal/> accesses on 10.02.2024

did not receive it<sup>6</sup>. These appointments have contributed immensely to the subordination of the judiciary to the Executive arm of government, which is reflected in the administration of justice in the country.

President Akufo-Addo's governance style, characterised by an impervious temperament, extended to his appointment of judges to the Supreme Court. The addition of new justices with ties to the NPP has raised significant concerns about the judiciary's independence. Hence, the MO Ibrahim Governance Index for 2024 rates Ghana as one of the top 10 countries experiencing deterioration in governance over the past decade<sup>7</sup>. Similarly, the 2024 Afrobarometer Survey report on Ghana shows that 84% of Ghanaians think the country is heading in the wrong direction, while trust in public institutions, especially the Presidency, Electoral Commission, the Judiciary, and Parliament, has waned significantly since 2012<sup>8</sup>. These reports reveal the extent to which Akufo-Addo through his actions diminished the effectiveness of these institutions since assuming the presidency. Accordingly, the findings of these reports coupled with the observable actions of Akuffo Addo, show a stark contrast with the ethos of democratic temperament, especially also because he has often displayed the zeal to silence independent voices.

The appointment of President Akufo-Addo's cousin, Ms. Sophia Akufo, as Chief Justice, raised concerns of nepotism. Likewise, the appointment of Mr. Anim Yeboah, a known sympathizer of the NPP, as her successor, reinforced perceptions of rewarding party loyalty in positions that require impartiality and integrity. The perception of impartiality is crucial for a functioning judiciary and democracy. When the President appoints close associates or known party loyalists, it fuels public distrust in the judiciary's ability to deliver unbiased justice. As such, the appointments of both Ms. Sophia Akufo and Mr. Anim Yeboah as Chief Justices have been interpreted as prioritizing personal and partisan ties over meritocratic selection. This perception is further exacerbated by the appointment of several justices with previously open partisan affiliations into the judicial system. Similarly, appointing judges perceived as aligned with the ruling party can create a "chilling effect" on the judiciary. Judges may feel pressured to rule in favour of the executive branch, either out of fear of potential repercussions or in pursuit of career advancement. This perceived lack of independence can discourage citizens from seeking justice through the courts, fearing bias in the process. The survival of a democracy largely depends on an independent judiciary, particularly in its role of upholding the separation of powers and holding the executive branch accountable. When the judiciary is populated with individuals perceived as loyal to the ruling party, it weakens these essential checks on executive power. Such actions can create a chilling effect on the willingness of these institutions to serve as effective checks on executive authority. In turn, democracy is undermined.

#### ***4.2. Co-opting Electoral Commission***

In the period leading up to the 2016 general elections in Ghana, Akufo-Addo and the New Patriotic Party (NPP) launched scathing attacks on the Electoral Commission, signalling their intent to remove its Chairperson, Mrs. Charlotte Osei, from office if elected (Afful, 2018). Barely a year after Akufo-Addo's inauguration, his office announced the receipt of a petition from unnamed Electoral Commission workers, led by Forson Ampofo and Rabiul Sulemana. The

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<sup>6</sup> <https://www.amazon.com/President-Ghana-Never-Got/dp/B0DCFZYNSN> accessed on 06.05. 2024.

<sup>7</sup> <https://mo.ibrahim.foundation/sites/default/files/2024-10/2024-index-report.pdf>. accessed on 05.11.24

<sup>8</sup> <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Public-trust-in-Ghanaian-institutions-have-declined-Afrobarometer-report-1957263> accessed on 05.11.24; also see [https://www.afrobarometer.org/wp-content/uploads/2024/05/Afrobarometer\\_FlagshipReport2024\\_English.pdf](https://www.afrobarometer.org/wp-content/uploads/2024/05/Afrobarometer_FlagshipReport2024_English.pdf)

petition urged the President to initiate proceedings to remove Chairperson Osei and her two deputies from office, citing alleged procurement infractions<sup>9</sup>. Subsequently, Akufo-Addo set in the motion of the impeachment process by referring the petition to the Chief Justice. During the hearings to ascertain the validity of the claims against the Electoral Commission's leadership, the petitioners were represented by Maxwell Opoku Agyeman, a prominent lawyer and leading member of the NPP, who later became an appointee of Akufo-Addo<sup>10</sup>. The petitioners' primary contention was that the Chairperson and her deputies had violated administrative rules pertaining to procurement in the execution of their duties.

As the case unfolded, an investigative journalist captured on the tape, Ms. Pauline Adobebe Dadzawa, an Electoral Commission employee called as a witness by the petitioners, stating that "[she] and others were united in their resolve to remove the Chairperson from office without referencing any demonstrable professional infractions"<sup>11</sup>. Following the Chief Justice's report on the matter, Akufo-Addo proceeded to dismiss the Electoral Commission Chairperson and her two deputies from office. Paradoxically, the Electoral Commission under Charlotte Osei's leadership had been lauded by both domestic and international observers for conducting the most credible and transparent election in Ghana's recent history (Ayee, 2017; Idowu & Oluwafemi'Femi'Mimiko, 2020). To fill the vacated positions at the helm of the Electoral Commission, Akufo-Addo appointed Jean Adukwei Mensah, his wife's niece and former Executive Director of the pro-NPP Institute of Economic Affairs (IEA), along with Eric Bossman Asare, who had served as patron to the student wing of the New Patriotic Party at the University of Ghana<sup>12</sup>.

Furthermore, Akufo-Addo's actions have significant implications for public trust, the independence of state institutions, the integrity of accountability mechanisms, and the survival of democratic norms. For instance, appointing individuals perceived as partisan or personally connected to the president, rather than selecting based on merit and impartiality, can erode public confidence in these institutions. When citizens perceive key institutions like the judiciary or the Electoral Commission as biased or beholden to the executive, it undermines their faith in the fairness and impartiality of democratic processes. This is particularly concerning in a country like Ghana, which has long been celebrated as a beacon of democracy in Africa. Furthermore, the conducts of both Jean Mensa and her deputies have been a clear case of prosecuting a partisan agenda in-favour of the governing NPP party. For instance, one of the first major decision they took was to abolish the long-standing practice by the Electoral Commission to use the Inter-Party Advisory Committee (IPAC) made up of all registered political parties for deliberating on major decisions concerning the electoral process. The convention for consensual decision-making ensured cooperation by all stakeholders, including Civil Society Organisations for free, fair and credible elections. Currently, decisions regarding the electoral process are taken with little recourse to discussions at IPAC, but as it pleases the commissioners<sup>13</sup>. This action appears to have been a blatant attempt to influence the electoral

<sup>9</sup><https://www.graphic.com.gh/news/general-news/presidency-receives-petition-asking-ec-chair-to-be-removed.html> accessed on 18.06.2022.

<sup>10</sup> <https://www.myjoyonline.com/> accessed on 16.06.23.

<sup>11</sup> The Lawyer for the EC Chairperson argued the petitioners had not provided any evidence to support their claim as records of the proceedings at the committee shows in his closing arguments. See [https://www.graphic.com.gh/images/2018/pdfs/Thaddeus\\_Sory\\_final\\_written\\_address\\_on\\_Charlotte\\_Osei.pdf](https://www.graphic.com.gh/images/2018/pdfs/Thaddeus_Sory_final_written_address_on_Charlotte_Osei.pdf) accessed on 18.06.2022.

<sup>12</sup><https://www.modernghana.com/news/1226384/we-demand-immediate-resignation-of-npp-activists.html> accessed on 04.11.24

<sup>13</sup><https://www.ghanaweb.com/GhanaHomePage/NewsArchive/EC-s-posture-towards-IPAC-dangerous-NDC-741326> accessed on 05.11.24.

process. By appointing individuals perceived as loyal to key institutions, Akufo-Addo's actions have risked transforming these bodies into extensions of the executive branch rather than maintaining their status as independent entities. This pattern of appointments can have a chilling effect on these institutions' willingness to act as effective checks on executive power. For instance, the appointment of individuals with strong NPP affiliations to the Electoral Commission, an institution tasked with ensuring fair and impartial elections, casts doubt on the government's commitment to free and fair democratic processes. Akufo-Addo's conduct, as highlighted in these cases, exposes a critical tension within democratic systems. This tension revolves around the balance between the legitimate exercise of power by elected officials and the potential for such power to be used in ways that undermine democratic norms and principles of good governance. Furthermore, the judiciary has tacitly endorsed these presidential actions in instances where suits have been filed to challenge the constitutionality of his decisions. This endorsement has manifested through delayed judgments and other procedural tactics that effectively support the executive's actions<sup>14</sup>.

#### **4.3. Removal of Auditor-General**

Under the 1992 Constitution of Ghana, the institution empowered to ensure accountability in terms of prudent use of public funds is the Audit Service, headed by an Auditor-General. Article 187 of the Constitution established the Audit Service as part of the Public Services of Ghana. Its mandates, enumerated in Article 187, generally vest it with the authority to scrutinize and audit all accounts of public institutions within the country. Daniel Yaw Domelevo held the position of Auditor-General when Akufo-Addo assumed the presidency. Having previously worked within the international financial system, Domelevo brought considerable expertise and experience to the role. He was widely acclaimed for his fearlessness in exposing corruption, misappropriation, and mismanagement by state institutions at all levels. Upon the NPP assumption of office, their intention to remove the Auditor-General became apparent. Egbert Faibille Jnr, himself a subsequent appointee of Akufo-Addo, publicly questioned why the new administration should inherit an Auditor General appointed by the previous president (Ibrahim, 2021). Subsequently, a pro-NPP group known as the Alliance for Accountable Governance petitioned the president for Domelevo's removal as the country's Auditor-General, without providing any official justification. On January 1, 2019, the Auditor-General's annual report raised concerns about questionable patterns of expenditures in the public accounts, involving actions and decisions of Yaw Osafo Marfo, the government's Senior Minister. The report revealed that the Office of the Senior Minister had caused a financial loss of approximately US\$1,031,460.50 to the state through a contract awarded to Kroll and Associates. This contract was executed without adherence to due process, and payments were made without evidence of work completed. As mandated by law, the Auditor-General surcharged the Senior Minister, which resulted in a series of media exchanges between the two parties<sup>15</sup>.

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<sup>14</sup>These issues have been reported severally in the media, see for instance: <https://ghalii.org/akn/gh-hr-accra/judgment/ghasc/2023/23/eng@2023-05-31/source>; <https://www.ghanaweb.com/GhanaHomePage/NewsArchive/Supreme-Court-strikes-out-Dafeamekpor-case-against-Akufo-Addo-ministerial-nominees-1923387> accessed on 06.09.2024.

<sup>15</sup> As part of the covert scheme by the Akufo-Addo government and its assigns to whitewash the infractions of the Osafo-Marfo, the Audit Service Divisional Union of TUC invited him to deliver a speech at its 5<sup>th</sup> Delegates Conference in Kumasi on the theme: "Stop People from stealing government money belonging to all for Social and Infrastructural Development" See: [www/https://audit.gov.gh/files/publications/Senior\\_Minister\\_challenges\\_the\\_Auditor-General\\_and\\_his\\_Staff\\_to\\_%E2%80%9CStop\\_people\\_from\\_Stealing\\_Government\\_money\\_belonging\\_to\\_all\\_for\\_Social\\_and\\_Infrastructural\\_Development%E2%80%9D1653168609.pdf](http://www/https://audit.gov.gh/files/publications/Senior_Minister_challenges_the_Auditor-General_and_his_Staff_to_%E2%80%9CStop_people_from_Stealing_Government_money_belonging_to_all_for_Social_and_Infrastructural_Development%E2%80%9D1653168609.pdf). accessed on 10.10.2023.

The Senior Minister responded to the queries raised by the Auditor-General, asserting that Kroll and Associates had fulfilled their contractual obligations. However, he contended that the nature of their work was so sensitive that its details could not be disclosed to the Auditor-General or the public (Larnyoh, 2019). Unsatisfied with these responses, the Auditor-General maintained the surcharge and demanded that the state compel the Senior Minister to repay the allegedly misappropriated funds. In response, the Senior Minister filed a motion in court seeking to have the Auditor-General's decision nullified. While the case awaited final determination, President Akufo-Addo ordered Daniel Yaw Domelevo to proceed on terminal leave. The Auditor-General, in turn, wrote to Akufo-Addo, urging him to reconsider his decision to preserve the spirit and letter of the Constitution, uphold labour laws, and maintain the independence of the Auditor-General's office as enshrined by law, in accordance with the founding principles of the 1992 Constitution of Ghana. Replying to Domelevo's admonition, Akufo-Addo argued that his interest was merely in exercising "disciplinary control over persons holding or acting in public office" (Asante, 2020). He contended that Domelevo had "breached the labour law" by not taking all of his required annual leave between 2017-2020, asserting that the leave was necessary "to have enough rest and be refreshed to continue performing the functions of his office effectively" (Asante, 2020). Eventually, Domelevo complied with the directive and took his leave. However, upon his return to office after nearly six months, he was summarily dismissed by Akufo-Addo (Ghanaweb, 2020). A case was filed at the Supreme Court by civil society organizations challenging the power of the president to dismiss the Auditor-General. The Supreme Court delayed scheduling the case for hearing and only did so by declaring Akufo Addo's removal of the Auditor-General from office, as unconstitutional only after Daniel Yaw Domelevo attained the statutory retirement age and could not be reinstated.

The case of Auditor-General Daniel Yaw Domelevo serves as a particularly poignant illustration of this concerning trend. Despite Mr. Domelevo's reputation for integrity across various political divides in the country and his commendable efforts to expose corruption, his attempts to investigate a senior minister appointed by President Akufo-Addo were met with unprecedented hostility. Mr. Domelevo was widely respected for his tireless efforts to combat corruption and promote financial accountability. However, his investigation into alleged financial impropriety involving a senior minister in Akufo-Addo's cabinet encountered significant resistance. This conflict culminated in Mr. Domelevo being forced into terminal leave and subsequently dismissed, raising serious concerns about the government's commitment to transparency and accountability. The forced leave and eventual dismissal of Mr. Domelevo is a chilling message about the Akufo-Addo administration's intolerance for scrutiny and accountability. This action fundamentally undermines the spirit of democratic temperament, which values transparency and independent oversight as cornerstones of good governance. Even if Akufo-Addo's actions were technically legal, they exhibit a glaring lack of "democratic temperament." This concept requires democratic leaders not only to adhere to the letter of the law but also to demonstrate an unwavering commitment to democratic values and norms. Such a commitment includes a willingness to accept dissent, respect the independence of institutions, and act in a transparent and accountable manner. The treatment of Mr. Domelevo serves as a stark reminder of the fragility of democratic institutions when faced with an executive power that prioritises its interests over the principles of good governance.

## 5. Blighting the Bright Star

The three cases discussed above demonstrate that Ghana, the once Africa's democracy star is blighting. Nana Akufo's actions to circumvent checks and balances through appointments or

dismissals of officers who head critical institutions in the democratic governance process, is a new form of constitutional tyranny, leading Ghana to a backsliding democracy. The experience of Ghana under the 5<sup>th</sup> president of the Fourth Republic demonstrates that democracy can be shifted onto a path of decline when unrestrained executive power holders with imperial mindsets exploit constitutional provisions to undermine the independence and integrity of other democratic institutions. To this extent, the individual idiosyncrasies of leaders in a democracy are of paramount importance. These idiosyncrasies often provide insight into how a leader is likely to behave in a given situation, based on their known values, perceptions, history, and general approach to governance. For instance, before winning the presidential elections in 2016, Akufo-Addo had exploited the NPP constitution to have their national Chairman Paul Afoko, General-Secretary Kwabena Agyepong, and other executives whose loyalty he doubted suspended and replaced with individuals he considered sympathetic to his ambition. It comes as no surprise that after winning power, he deployed a similar strategy by manipulatively exploiting the country's constitutional powers assigned to the president to weaken other institutions whose balancing checks were required for good governance.

To be sure, the occurrence of democratic backsliding is not peculiar to Ghana, as situations elsewhere on the continent depicts, such as Tunisia and South Africa. The removal from office of persons occupying crucial positions under malicious circumstances demonstrate a troubling trend that diverges from established norms and potentially undermines the integrity of key democratic institutions. For instance, in Tunisia, President Kais Saied invoked article 80 of the 2014 Constitutions to dissolve the country's executive branch of government, Parliament, and the commission constituted to prepare reforms to enhance the constitutional and political processes in the country following years of instability. In a communique captioned "Presidential Order Concerning Extraordinary Measures", the president mentioned an "imminent danger" to the country as reasons for his decision<sup>16</sup>. In the case of South Africa, President Zuma's decisions and removal of office of certain individuals justified an increasing sense of lawlessness, in part to support the corrupt activities of his friends and associates for their economic benefits. Again, in 2011, without regard to opposition outcry, Zuma's majority African National Congress (ANC) members of parliament (MPs) passed into law the *Protection of State Information Bill*. Essentially, the bill empowered government officials to classify as "top secret" any government information in the "national interest," while scowling at "whistleblowing" and investigative journalism<sup>17</sup>. Similarly, 2014, the Office of the Public Protector—an independent institution mandated to protect the rights of citizens against governmental abuses ruled that the appointment of Hlaudi Motsoeneng as head of the South African Broadcasting Cooperation was illegal as he did not have the right qualifications or credentials to merit such a position. This decision was affirmed by the Supreme Court of Appeal, yet Communications Minister Faith Muthambi re-assigned Hlaudi Motsoeneng to a similar position<sup>18</sup>.

Essentially, the tenet of constitutionalism ensures that laws are public knowledge and must apply to all citizens equally, regardless of status or creed. It is enshrined in democratic constitutions to "uphold the political and civil liberties that have gained status as universal

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<sup>16</sup> <https://studies.aljazeera.net/en/policy-briefs/state-exception-tunisia-background-significance-and-prospects> accessed on 06.11.24; also see <https://www.hrw.org/news/2021/07/27/tunisia-presidents-seizure-powers-threatens-rights> accessed on 06.11.24

<sup>17</sup> <https://www.openglobalrights.org/the-end-of-tyranny-south-africas-civil-society-fights-back/> accessed on 05.11.24

<sup>18</sup> <https://constitutionallyspeaking.co.za/why-hlaudi-motsoenengs-re-appointment-is-irrational-and-invalid/> accessed on 05.11.24

human rights over the last half-century” (Carothers, 1998:95). Hence, the arm of government and the various governance institutions must be reasonably fair, competent, and efficient in the delivery of public services for the interest of all. Officers of such institutions are bound to be unbiased and independent, and not to place themselves in positions of political influence or manipulation that may equally subject them to political maneuvering. This way the government is seen to be law-abiding. As noted by the United Nations:

[A] Principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness and procedural and legal transparency<sup>19</sup>

Considered alongside other occurrences on the continent, Akufo-Addo's actions and decisions in the three cases discussed in the article also offer valuable lessons for Ghana and other emerging democracies, especially in Africa. In a recent study, Mohammed (2023) observed democratic backsliding in Ghana, and noted that the “political involvement of citizens is limited to voting which is declining in quality, while they are ignored between elections, and they have little possibility of controlling corruption, or abuse of citizens' rights or misgovernment; and where democracy is such that it lurches, swerves, sways, and threatens to tip over” (p. 347). Ghana's case highlights a broader challenge for democracies across Africa, as many countries struggle with weak institutional frameworks and political interference in supposedly independent bodies. This challenge highlights the importance of investing in the strength and independence of these institutions to safeguard democratic principles.

## 6. Conclusion

Ghana's democratic regression under President Akufo-Addo's leadership serves as a masterclass in how democracies unravel not through force, but through the calculated exploitation of constitutional powers. Through our analysis of judicial appointments, the Electoral Commission's leadership politics, and the auditor-general's calculated removal, we witness democracy's quiet death by a thousand cuts. These are not mere institutional reshufflings, but calculated moves in a grand strategy to consolidate power under the guise of constitutional legitimacy. The stark decline in public trust, captured in both Afrobarometer surveys and the MO Ibrahim Governance Index, reveals a citizenry increasingly disillusioned with their democracy's hollow promises. What emerges is a sobering portrait of “constitutional tyranny” – where legal mechanisms designed to protect democracy become tools for its dismantling.

Ghana's trajectory from democratic beacon to cautionary tale carries profound implications for emerging democracies worldwide, particularly across Africa, where similar institutional vulnerabilities lurk beneath constitutional facades. Yet, this crisis presents an opportunity for democratic renewal. The path forward demands more than superficial reforms – it requires a fundamental reimagining of institutional safeguards. By establishing merit-based appointment systems, strengthening parliamentary oversight, and empowering civil society as democracy's watchdogs, Ghana can begin to rebuild its democratic foundations. The

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<sup>19</sup> United Nations and the Rule of Law: What is the Rule of Law?, <https://www.un.org/ruleoflaw/what-is-the-rule-of-law/> accessed on 06.11.24.

nation stands at a crossroads: either to succumb to the creeping shadows of authoritarianism or reclaim its position as Africa's democratic lighthouse. The choice made today will echo through generations, determining whether Ghana's democratic experiment becomes a testament to resilience or a cautionary chapter in the annals of democratic decay.

As the shadows of authoritarian creep darken Ghana's once vibrant democratic landscape, a clarion call echoes for scholars to venture into the heart of this unfolding crisis. The article presented a troubling pattern - the calculated exploitation of constitutional powers to undermine the very foundations of democracy. Now, the path forward demands a rigorous exploration of the fault lines that threaten to swallow Ghana's democratic experiment, and by extension, the fragile democracies of the African continent. The troubling appointment of judges with perceived allegiances to the ruling party casts a dark pall over the hallowed halls of justice. What secrets lie in the rulings made under this new judicial order? Do the scales of impartiality tilt dangerously towards partisan agendas as the delayed determination of the Auditor General's case has shown? Unearthing the connections between these judicial choices and their consequent decisions will reveal the true cost of compromised judicial independence as manifesting in the erosion of public trust in the sacrosanct principle of equal justice under the law.

The dismissal of the Electoral Commission Chairperson and her replacement with individuals linked to the ruling party shatters the very bedrock of electoral integrity. Urgent research must delve into the impact of this partisan meddling, examining whether the electoral processes have become mere facades, masking the manipulations of those in power. The forced removal of the Auditor-General, a champion of transparency, exposes the fragility of the mechanisms meant to hold the powerful to account. Scholars must now explore how to fortify the independence of such crucial oversight institutions, safeguarding them from the whims of those in authority. Scrutinising parliamentary oversight and the role of civil society in this struggle will be essential in rebuilding the checks and balances that underpin good governance. While President Akufo-Addo's actions, may be technically legal, they violate the very spirit of democratic principles. This clarion call demands a rigorous examination of constitutional loopholes that enable such abuses of power. Comparative analyses of successful democratic safeguards can inform the reimagining of Ghana's foundational charter, forging a new bulwark against the creeping tide of authoritarianism.

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