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Jockers, Heinz and Kohnert, Dirk and Nugent, Paul

GIGA - German Institute of Global and Area Studies / Institute of
African Affairs, University of Edinburgh, Centre of African Studies

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The Successful Ghana Election of 2008: A Convenient Myth?

Ethnicity in Ghana's elections revisited

Heinz Jockers / Dirk Kohnert / Paul Nugent

***Abstract:** Ghana's 2008 elections have been hailed by national and international observers as a model for Africa. This perception has prevailed despite persistent concerns about 'ethnic block voting' and electoral fraud. Electoral malpractice and vote rigging along ethnic lines in Ghana's virtual two-party system could regain a decisive importance as a 'third force' which could tip the balance in future, possibly coming to represent an even more important factor than the smaller opposition parties. Unfortunate diplomatic and technocratic biases in election monitoring, combined with a reluctance on the part of the responsible authorities to investigate, in what appears to be a long history of fraudulent 'ethnic block voting', amounts to a dangerous time bomb of unresolved conflict which could explode in future elections.*

***Keywords:** elections, ethnicity, election observation, informal institutions, impunity, Ghana*
JEL codes: D72, N47, Z1

German Institute of Global and Area Studies (GIGA), Hamburg/Germany
University of Edinburgh, United Kingdom, July 2009

1. Ghana's 2008 elections – a showcase for Africa? ¹

Successive democratic elections in Ghana in 1996, 2000, 2004, and 2008 resulted in two peaceful transfers of power between the major political parties (in 2000 and 2008) as well as in continuing improvements in the performance of its formal institutions, notably the Electoral Commission (EC), the judiciary and security forces. There was also a demonstrable increase in the oversight function of civil society organisations and the media. The outcome of the parliamentary and presidential elections of December 2008 was hailed by stakeholders, the national and international media and diplomatic missions as another step forward in consolidating multiparty democracy in Ghana and as model for the whole of Africa (cf. Gyimah-Boadi 2009; Loetzer/Moenikes 2009:95). Yet 'ethnic block voting' remained a concern, at least in the strongholds of the two major contesting parties,² despite a longstanding tradition within Ghanaian political culture of frowning on ethnic appeals and despite various provisions within the constitution and the electoral law (Political Parties Act of 2000) designed to prevent 'tribalism' (cf. Loetzer/Moenikes 2009:77). Observers of the 2008 elections deplored the 'growing ethnization' of Ghanaian politics, considered to be a heavy burden of the country's ongoing democratization process (cf. Loetzer/Moenikes 2009:78)³.

There exists a longstanding controversy about 'ethnic block voting' and how important swing voting has been in Ghana's Fourth Republic (1992-2009). Although the size of the core voting population in Ghana had been considerable, at least in the 1996 and in the 2000 elections (about 82% of the voting population) which brought about the first democratic alternation of power, it was not overwhelming - thus refuting assumptions that voting volatility in transitional regimes is higher than in consolidated democracies (cf.

¹ Thanks for valuable comments go to Steve Tonah and Sebastian Elischer. The responsibility for any fallacies or inaccuracies in the paper remains of course with the authors. The latter participated in the 2008 elections as international election observers with the EU Election Observation Mission and the Carter Centre respectively. The views are those of the authors alone.

² As expected, the contesting major parties and their candidates attained their best results with highest voter turnout in their respective strongholds: Nana Akufo-Addo, leader of the National Patriotic Party (NPP) gained 75 percent in Ashanti, and Atta Mills, presidential candidate of National Democratic Congress (NDC) got 86 percent in Volta region, also labelled as the 'World Bank' of the NDC by party veteran and former head of state Jerry Rawlings (cf. graph 1).

³ According to Gyimah-Boadi, "both parties shamelessly attempted to mobilize ethnic votes, virtually declaring their respective strongholds – the Ashanti Region for the NPP and the Volta Region for the NDC – as 'no-go' zones for their opponents" during the run-off to the presidential election on 28 Dec. 2008 (Gyimah-Boadi 2009:143).

Lindberg /Morrison 2005:565). Apart from ethnicity,⁴ core and swing voters cannot be distinguished by structural factors, like level of education, the rural-urban divide, income, and occupation. In the meantime the percentage of swing voters might have increased. Nevertheless, strong 'ethnic block voting' in two regions has persisted: Ashanti and Volta regions (cf. Morrison/Hong 2006:235, 239; Fridy 2007: 282, 286-89) have never voted against the political tradition of their region (i.e. the Busia-Danquah tradition in Ashanti (New Patriotic Party, NPP), and the opposing Nkrumahist tradition in Volta (National Democratic Congress, NDC)),⁵ a trend which was confirmed in 2008, although even here electoral volatility differs significantly (Ashanti 8.8%, and Volta 17.4%; cf. Lindberg/Morrison 2005:570)⁶. Together both regions represent a significant proportion of all registered voters (12,472,758 in Ghana in 2008). Ashanti has the second largest proportion of voters at 18.5 percent, behind Greater Accra with 20.2 percent. The Volta region accounts for 8.1 percent; the population of the three northern regions combined is only 15.4 percent (base 2008 election figures of the EC). As regards core and swing voters, the Central Region (8.2 percent of registered voters) was a notable example, because in 2008 the Fante-Akan majority abandoned the NPP for the NDC, apparently for non-ethnic reasons.⁷

The history of Ghana's electoral processes shows that, at least in popular perception, ethnicity matters more than any other socioeconomic variable (cf. Fridy 2007:281, 302; Tonah 2009). Fortunately, during these (and previous) elections it did not result in large-scale election violence as in other African states, like Kenya or Nigeria.⁸ However, the menace of bloody conflicts is also omnipresent in Ghana: The outbreak of the Dagomba and Konkomba conflict in Northern Ghana in 1994 proved that 'tribalist' conflicts can easily escalate into lethal confrontations with thousands of death (cf. Bogner 2000). In 2008, violent confrontations in Bawku between Kusasis and Mamprusis

⁴ Unfortunately, Lindberg and Morrison could not test for ethnic block voting because of lack of time and reliable data (cf. Lindberg /Morrison 2005:577).

⁵ However, in the early 1950s the Togoland Congress, which was allied with the NLM, did capture around half of the vote.

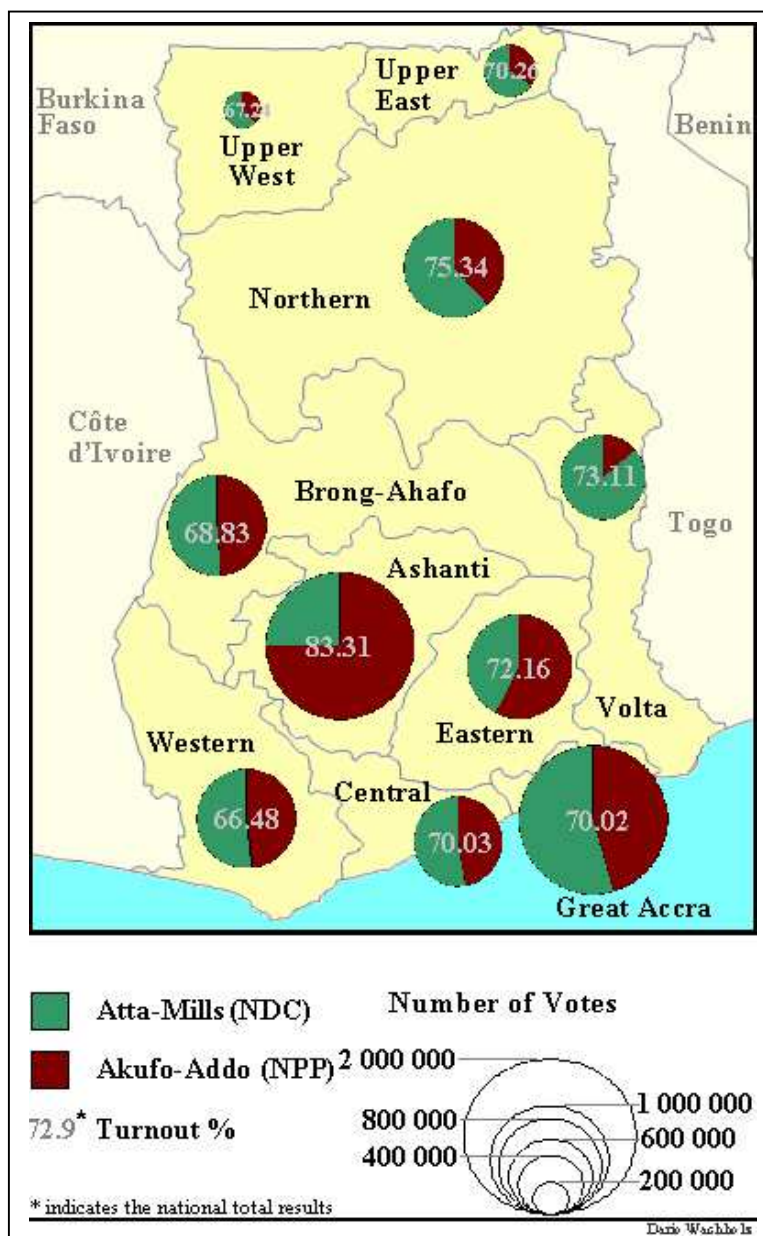
⁶ Longstanding local divisions and loyalties impacted also in Northern Ghana; they vary in their intensity but nevertheless continue to shape general political and specific electoral behaviour significantly (cf. Kelly/Bening 2007).

⁷ The Central Region voted for the NDC in 1992 and 1996, and altered to the NPP in 2000 and 2004. There were 'swings' against the NPP in Brong-Ahafo, and in its favour in parts of the North too.

⁸ However, the 'Yendi massacre' of 2002 and its aftermath of violent chieftaincy disputes among the Dagomba in Northern Region was an issue with strong ethnic undertones also in the national 2004 elections, when – according to the then vice-president – 'the whole North was on fire'. The violent conflict was seen by many Dagbon as just another injustice perpetrated by the then governing party (NPP) (cf. MacGaffey 2006: 79, 81, 98).

threatened to become politicized in this manner, but fortunately this was avoided. All it takes is chieftaincy and land disputes to become linked to party political alignments to produce an explosive mix.

Graph 1: Ghana 2008, presidential run-off elections (Source: EC-Ghana)



The second area of ongoing concern lies in claims and counter-claims about electoral fraud. Although the total number of votes involved was possibly quite small, the closeness of the result meant that vote massing could well have jeopardized the legitimacy of the process. The most recent elections proved again that Ghana is virtually a two-party system possibly because of the peculiarities of its British-style electoral system (multiple single-member constituencies; cf. Morrison/Hong 2006:631-32), reinforced by competing

Ghanaian political traditions based on ideology and related socio-economic divisions between 'Nkrumahists' and 'Busia-Danquahists'. Expectations that one of the smaller opposition parties could break through as a third force were again disappointed.⁹

The vast majority of voters view the two major parties, the National Democratic Congress (NDC) and the New Patriotic Party (NPP), as representing mainly Ewe and Ashanti interest respectively (cf. Loetzer/Moenikes 2009:64, 78). However, in reality, the relationship between ethnic politics and partisanship is far more complex. Factors other than ethnicity, notably socio-economic issues, dominate actual voting patterns in Ghana, with the possible exception of Ashanti and Volta Regions (cf. Fridy 2007; Lindberg/Morrison 2008; Nugent 2001a). Certainly, the Ashanti-Ewe divide and the overall dominance of the Akan group¹⁰ in economic and social life, as well as in the public sector, contribute to ethnic and regional polarization in Ghana (cf. Asante/Gyimah-Boadi 2004:125-127). But neither the Ashanti nor the Ewe group is big enough to pose a threat of domination in electoral politics, as they constitute just 15 percent and 13 percent of the population respectively. In addition, the apparent pattern of block voting in Ashanti and the Volta region can not be explained by ethnic considerations alone, given that both regions are populated not just by Ashanti or Ewe voters (cf. Asante & E. Gyimah-Boadi 2004; Nugent 2001). Thus, a mixture of ethnic, regional and socioeconomic factors, notably marginalization and 'class' issues, constitutes the basis of voting patterns which is obscured by the language of ethnicity (cf. Elischer 2008; Fridy 2007; Lindberg/Morrison 2008; Nugent 2001:3-6). Yet, the introduction of multi-party democracy in 1992 has probably polarized the country and exacerbated 'ethnic' conflicts (cf. Tonah 2009). This might have been accentuated by the instrumentalization of ethnic affiliation and the 'politics of

⁹ In the parliamentary election of 7 December 2008, the governing National Patriotic Party (NPP) lost its absolute majority in parliament and won only 107 of overall 230 seats. The major opposition party National Democratic Congress (NDC) secured victory with 114 delegates most mandates, but failed to win an absolute majority with two constituencies still pending. The People's National Convention (PNC) secured only two seats, the Nkrumahist Convention People's Party (CPP) just one, for the daughter of Ghana's first head of state Kwame Nkrumah; in addition, four independent parliamentarians won a seat. - In the first round of the Presidentials (7 December 2008), the candidate of the NPP, Nana Akufo-Addo won 49.13 percent, the leader of the NDC, John Evans Atta Mills, 47.92, and Paa Kwesi Nduom of the CPP 1.34 percent. In the run-off elections of 28 December Atta Mills narrowly won with 50.23 percent of valid votes, while 8 out of 10 regions voted for him. He was declared new president elect by the EC on 3 January 2009 and inaugurated in compliance with constitutional provisions on the 7 January 2009 (cf. EU-EOM 2009: 31-32).

¹⁰ The Akan are with 49.1 percent, the largest ethnic group in Ghana, including the subgroup of Ashanti. The terminology is fraught with problems, however, because the Ashanti might be regarded as an ethnic group in their own right.

belonging' within the framework of a growing new nationalism and the accompanying implicit policy of exclusion of 'foreigners' (cf. Kuba/Lentz 2006; Kohnert 2009).

Ghana's history reveals recurrent attempts to deny "non-authentic" ethnic groups, e.g. the Ewe and the Konkomba, their "Ghanaianess" (cf. Amenumey, 1989; Nugent 2002). The Akan power elite that dominated the state was already portraying the Ewe as tribalists, oppositionists, and secessionists in the 1970s; whereas the Ewe elite branded the Ashanti as aggressive and arrogant. Although these stereotypes were not mirrored by everyday life, they were nevertheless nourished as powerful ideological myths by vested interests amongst both groups (cf. Brown 2000:20, 29, 116-18) ¹¹. Non-Ewe minorities, e.g. in Volta Region, took sides in this 'ethnic antagonism' out of political expediency by aligning themselves with larger partners (cf. Nugent 2000:163, 180, on 'ethnicity by approximation').

All considered, 'ethnic block voting' and vote rigging along ethnicity lines could regain a decisive importance, possibly even more important as 'third force' than the smaller opposition parties. The sheer number of votes that can be mobilized by each group may serve already as indicator: The difference between valid votes in the 1st and 2nd round in Ashanti Region amounted to 241,284. The candidate of the largest of the small opposition parties, Paa Kwesi Nduom, of the Convention People's Party (CPP), gained 113,494 votes in the first round of the presidential election 2008; and in the final round just 40,586 votes tipped the scale in favour of Atta Mills.

Against the background of growing conflicts due to a new nationalism informed by the politics of belonging in Africa in general, and recent electoral violence in Kenya and Nigeria in particular, the praise for the peaceful 2008 elections in Ghana is understandable. However, despite the impression of generally free and fair elections, serious malpractices and electoral fraud apparently occurred, notably in relation to the highly problematic voter registration and voter turnout figures (cf. EU-EOM 2009:15, 29; CODEO 2008: Table 1). Again the most contested results came from Ashanti and the Volta Region. Not all allegations of the contesting parties or the Coalition of Domestic Election Observers (CODEO), were investigated sufficiently, as will be shown in the following chapters. The international community inside and outside of Africa was at pains to have a positive

¹¹ For examples related to the 2008 elections, cf. the controversy in Ghanaweb on "Ethnocentricity, and Ghana's Fragile Democracy", cf. <http://ghanaweb.net/GhanaHomePage/features/artikel.php?ID=125214>; online 2 June 2009.

example to hold up, a model to follow for Ghana's African peers.¹² Rare were slightly critical remarks like that of the EU Electoral Observers, for example with respect to the implausibly high turn-out in six Ashanti constituencies and the lack of transparency in the transmission of aggregated figures (Cf. EU EOM 2009:29). The EC, which would have been responsible for in-depth investigations, shied away for unknown reasons from opening this can on worms. Possibly it lacked both time and resources for a thorough investigation, or it thought it wiser not to touch these questions because they would not affect the overall results. However, although comprehensible in view of the tense political situation at that time, this neglect could seriously distort the picture of what actually took place and threaten Ghana's political stability and democratic consolidation in the medium and long run. This is the more so because it was apparently not the first time that the EC disregarded probable election rigging, notably in the Ashanti, Volta and Northern Regions, where similar unusually high turn-out figures of over 90 percent of registered voters were recorded in the 2004 presidential elections. Could it be that supervisors and international observers of the Ghanaian 2008 elections alike were blinded by the quest for an African success story? Whatever the truth of the matter, the outcome is fraught with perils for the future. Because both the NDC and the NPP believe that the other side perpetrated fraud in their strongholds and got away with it, it is highly likely that they will try to do so on an even greater scale in 2012. This raises the prospects of electoral violence and the de-legitimation of the electoral process unless the matter is squarely dealt with.

2. Diplomatic & technocratic bias in election observation in Ghana's 2008 elections?

The peaceful and largely transparent outcome of the 2008 elections was to a large extent due to the strong commitment and active engagement of Ghana's media and civil society, who monitored and commented on the electoral process with great zeal. Think tanks, advocacy groups, religious and professional organisations, and NGOs comprised an impressive platform of independent coverage of the polling process - assisted by advanced technology, meant for regular updates of local and regional results, parallel vote tabulation via mobile phone text messages and local radio stations (cf. Gyimah-Boadi 2009:145-146; Loetze/Moenikes 2009:80-82). The CODEO was the largest domestic observer group, deploying over 4,000 observers throughout the country on both election days. Its

¹² Ghana was the first country to pass (in 2006) the African Peer Review Mechanism (APRM), a self-monitoring mechanism of the African Union (AU) (cf. Herbert/Gruzd 2008).

contribution in validating the process was of fundamental importance. In addition, the major parties employed party agents as observers in most of the 21,007 polling stations, which greatly enhanced transparency at the grass-roots level and during the aggregation of the results (cf. EU-EOM-2009: 25). The large and visible presence of foreign media and diverse groups of international observers, including the EU, Carter Center, African Union, Pan-African Parliament, the Commonwealth and the Economic Community of West African States (ECOWAS) contributed to increased public confidence in the process as well. In view of the disappointing experiences in the recent past with rigged elections in Nigeria and Zimbabwe, the bloody ethnic clashes in the aftermath of the Kenyan elections, and coups in Guinea and Mauretania, international observers naturally displayed an interest in looking for a contrasting successful example of free and fair elections. Their overall evaluation of the Ghanaian election 2008 reflected these subliminal considerations. Overriding concerns about political stability in the sub-region and conflict prevention, in view of the volatile political situation in neighbouring Côte d'Ivoire and Togo, may have enhanced this predilection. An additional technocratic bias (for details cf. Kohnert 2004), notably a disregard for Ghanaian election history as well as informal politics and a focus exclusively and excessively on formal procedures of multi-party democracy, apparently blinded impartial analyses even more to the realities on the ground, as will be shown in the following.

One case in question is the longstanding controversy about the inflated voter register and its connection with the unusually high turnout figures in the run-off election in numerous constituencies of the Ashanti, Volta and Northern Regions in the 2004 and 2008 presidential elections.¹³ Controversies over the integrity of voters' register were a regular feature in Ghana's elections, and led in some cases to political crisis. For example, the

¹³ For detailed turnout figures of the 2008 elections cf. below. In the 2000 presidential elections, the first democratic polls which brought an alternation of power (this time from NDC to NPP), and which were also highly contested, turnout was relatively low. This was attributed at that time to a bloated voter register. On the national level valid votes accounted for only 60.8 % in the first run, and 59.7% in the 2nd. But already here, Ashanti and Volta Region scored highest with 64.3% (65.0%), and 59.7% (67.8%). (cf. Smith 2002:629, also for a detailed discussion of differences of voter turnout in Ashanti and Volta in the 2000 elections). However, there is no correlation between conspicuous constituencies in Ashanti and Volta region in the 2008 elections, compared with the presidential polls in 2004 or 2000 – In general, high voter turnout is no longer associated with flawed elections *per se*, as in times of despotic or 'socialist' regimes in Africa: in many African countries people continue to put a high value on the act of political participation at least in national elections, despite often disappointing performances of elected representatives. Only after repeated flawed elections, the overall national turnout tends to drop (from 67% to 61% on average) (cf. Lindberg 2008: 12-13). Official voter turnout in Sub-Saharan Africa ranges from 21.6% in Mali's 2002 election to an almost certainly heavily flawed 99.4% in Niger's 1999 polls (cf. Kuenzi/Lambright 2007: 678).

1992 elections were marred by opposition allegations (mostly unfounded) about a 'stolen verdict', followed by their boycott of the December legislative polls (cf. Jeffries/Thomas 1993). Also in the 2000 elections the voter's register had been grossly inflated, especially in Greater Accra, Ashanti and Volta regions. The reasons given focused on double registration in different regions, fraudulent registration of minors and deceased as major problems, resulting in an estimated 1.5m 'ghost voters' (cf. Smith 2002: 624-631). Even during the 2008 election campaign out of a total of 12,822,474 registered voters, 349,496 entries were removed by the EC because they were considered as irregular (cf. also EU-EOM 2009:14-16)¹⁴. CODEO said in a statement issued on 4 August 2008 that violence during voter registration and irregularities had been "widespread"¹⁵. In view of a persistently bloated register, notably in Ashanti and Volta region, the abnormally high turnout figures are even more questionable, as they might be due last but not least to mobilized 'ghost voters'.

Although barely credible turnout figures were criticised in the final report of the EU Election Observation Mission,¹⁶ even this critique was not as exhaustive as it could have been. It goes without saying that although the quoted turnout figures are highly incredible, they are especially hard to falsify with robust facts and figures under the present conditions in Ghana or elsewhere in Africa (cf. Kuenzi/Lambright 2007; Smith 2002; Lindberg 2008). In fact, a total of nine constituencies in Ashanti, two to four in Volta, and one in Central, Eastern, and Upper West Region each showed questionable results, with Ashanti by far the

¹⁴ The EC had expected to register additional 800,000 voters since the 2006, the year of the last update of the register, which corresponded to estimates of the number of citizens who had attained voting age in between. However, the 2008 provisional register listed nearly an additional 2 million voters (cf. Ichino/Schündeln 2009:5). Again the highest increase in registered voters during the limited registration exercise of the EC (from 31 July to 13 August 2008) was to be observed in Ashanti Region: 374,451 new voters were recorded, which is an increase of 330.7% over the 2006 exercise. The provisional voter population for the region increased by 18.7% to 2,381,214 voters compared with the electoral role of 2006. For the whole of Ghana the total increase was 16.7% to 12,822,474 (cf. "Voters register hits 12.8 million", www.ghana.gov.gh/node/5615/print, online on 5 April 09. – Calculations of an NDC activist, based on incomplete preliminary data of the EC, checked against the figures of the 2000 Population and Housing Census of Ghana, resulted in an estimated inflation of the voter register of 890,011 at the national level in 2008. Together, Greater Accra and Ashanti Region accounted for about 92% of this over-registration (cf. Rojo Mettle Nunoo, 27 Oct. 2008, comment on article 'Ghana – Protecting the credibility of the Electoral Commission', <<http://allafrica.com/comments/list/aans/post/id/200810271720.html>>, visited 6 May 2009).

¹⁵ Cf. "Pre-election violence and irregularities worries watchdog", Ghana elections 2008, website: <http://ghanaelections2008.blogspot.com/2008/08/pre-election-violence-and.html>, online 19 June 2009.

¹⁶ "Turnout in five of the constituencies in Ashanti: Bantama, Kwadaso, Manhyia, Nhyiaeso, and Suame also demonstrated unusually high numbers of votes cast, which was over 95 percent of registered voters. In contrast to all other areas in the country, the lack of safeguards used by polling officials and an absence of transparency in the transmission of the aggregated results for these constituencies makes the accuracy of results from these areas open to question." (EU EOM 2009:29).

greatest suspected culprit (cf. Table 1, 2).¹⁷ A similar pattern was to be observed in the 2004 presidential elections when, for example, at least five constituencies in Ashanti produced dubious turnout rates, most of which were the same as in 2008. In the Northern Region the same was true of at least three constituencies, including two reporting 95 percent or over, and three in Volta Region.¹⁸ It is certainly not by chance that these inconsistencies recurred mainly in those regions where the influence of ethnicity on elections remains most virulent. Registration fraud and concomitant inflated turnout figures are probably more likely in party strongholds than in competitive areas (cf. Ichino/Schündeln 2009:10, 16).

It is open to question whether the doubtful results had been cross-checked by the EC or other liable authorities, and what actions had eventually been taken to remedy the situation. In the best case scenario, the unusually high turnout figures truly reflect the strong engagement of voters in the constituencies concerned. The worst case scenario is that a history of impunity of election rigging, influenced by ethnicity in already volatile constituencies and regions, will encourage enhanced electoral fraud in future elections. Those who commented favourably on the elections pointed out that the Election Commissioner, Dr. Afari-Gyan, performed a tremendous achievement in producing a legitimate result. However, at the height of the disputed runoff, his strategy appears to have been to call the bluff of the NPP by accepting the questionable results from Ashanti and then pointing out that these were not enough to overturn the majority that had been chalked up by Mills. When the NPP insisted that the Tain constituency, where there had been no voting, could still affect the outcome, he called their bluff again and agreed not to declare the result until the election had been re-run there. No doubt, this was evidence of skilful footwork, but the point remains that the final result was arrived by glossing over allegations of significant electoral fraud. The precedent that has been set is a dangerous one and there is no guarantee that a future Commissioner will be as fleet of foot.

3. The case of Ashanti Region

¹⁷ As questionable are considered turnout figures in constituencies which apply to one of the following three cases: (1) turnout of over 95%, or (2) turnout over 90% along with overwhelmingly (> 80%) votes for one candidate, or (3) differences in votes cast between 1st and 2nd round of more than 10% with high overall turnout (>80%) in the 2nd round. The latter is considered to be doubtful as well because it is unlikely that even the newly employed tactic of the NPP in its stronghold, i.e. vigorous house-to-house campaigns dubbed "*fre wo nua*" (literally, call your brother to go and vote) could result in such a massive increase in the total number of additional voters within the short two week long election campaign between the 1st and 2nd round.

¹⁸ Cf. presidential election 2004 data-sheets of the EC at website: <www.ec.gov.gh/node/63>; online, 29 April 2009.

There was never any doubt that the chances of the NPP being re-elected in 2008 hinged on retaining the absolute loyalty of the Ashanti Region as a vote bank, as even the NPP itself readily admitted. One consideration was whether the NPP could retain the sympathy of voters in parts of the Region that were more recent converts to the party cause. In Ashanti, there have historically been two weak links for the NPP. One is at the geographical margins, reflecting deeper historical dynamics: In the 1996 Presidential poll, the NDC won a majority in three constituencies in Northern Ashanti and two in the south. In the first round of the 2000 Presidential election, only Ejura Sekyedumase and New Edubiase resisted the NPP. In the second round the head of state John Kufuor failed to carry the latter. If support for the government were to erode, there was a possibility of a reverse swing in these marginal constituencies. Secondly, Ashanti has witnessed considerable levels of northern in-migration. The *Zongo* communities have tended to vote NDC. Hence the Asawase Parliamentary seat in Kumasi was captured by the NDC in 2004, despite its poor showing elsewhere.

A real concern for the NPP campaign team was that Ashanti voters might not turn out to vote for an Akyem Presidential candidate, even if they remained broadly disposed to the NPP as a party. Hence turnout was always regarded as a prime consideration. Nana Akufo-Addo brought prominent Ashantis into his campaign in order to reassure voters that the party remained firmly rooted in its tradition as an Ashanti/Akyem alliance. The team staged big rallies in Kumasi and larger urban centres in an attempt to persuade voters that it retained enthusiastic support in the Region. The fundamental question of how many Ashanti voters there actually were was dogged by controversy from the start. Before the re-opening of the voters' register, the NDC complained that the figures for 13 Ashanti constituencies were massively inflated. In April, the EC set up an independent committee to investigate this claim. Dr. Afari-Gyan, initially lent credence to NDC fears when he confirmed that the increase in the number of voters in Ashanti was not credible, but in June he revised his assessment. He announced that the incorrect figures, which were the result of a printing error, only existed in hard copies of the register that had been sent to parties and that they were not replicated in the EC's own database. Although this supposedly meant that there should be no further cause for concern, the NDC believed that any error was deliberate and would be brought into play later on. The problem was compounded when the register was reopened to allow those who had attained full voting age to add their

names. The NDC alleged that there had been systematic attempts to pump up the numbers in Ashanti, through a combination of double- and under-age registration. Therefore, the opposition parties remained extremely sceptical about the figures in Ashanti. During the campaign, Rawlings not surprisingly returned to the claim that there was a plot to rig the election, centred on Ashanti. The fact that some large question marks remained over the process disposed many opposition supporters to believe the worst.

The election campaign in the region witnessed a few incidents of violence, but some of these involved rival candidates for NPP Parliamentary nominations – as was the case in Bekwai. On the whole, the campaign passed off with little trouble. In the first round of voting in 2004, Kufuor had captured 1,235,395 out of 1,679,664 votes, which translated into 73.6 percent of the votes in Ashanti. In the first round in 2008, Akufo-Addo won 1,214,350 out of 1,677,285 votes, amounting to 72.4 percent. By contrast, Mills had won, 398,362 (23.7 percent) of the votes in 2004, whereas in 2008 this had increased to 438,234 votes, or 26.1 percent (cf. Table 1). In other words, regional turnout had dipped slightly, but this was to the disadvantage of Akufo-Addo. Mills had seen his total number votes and his share of the Ashanti vote increase. The NDC had also managed to increase its number of parliamentary seats to three – New Edubiase, Ejura Sekyedumase and Asawase – while two NPP rebel candidates had won as independent candidates.

All of this was understandably a matter of considerable alarm to the NPP campaign team. Akufo-Addo supporters privately complained that the relatively low turnout in Ashanti had cost Akufo-Addo a first round victory which he only narrowly missed (with 49.1 percent of the national vote). There was also some dissatisfaction at the failure of Kufuor to play a more active role on the campaign trail, which may have been rooted in his historically strained relationship with elements of the Ashanti political elite (Elischer 2008) and his earlier support for Alan Kyerematen as the party candidate. In the campaigning for the second round, Kyerematen, who had briefly resigned from the party, was brought in to head the campaign in Ashanti in the belief that he held the key to a higher turnout – despite being a Fante. A special appeal was made to Ashanti voters to prevent Rawlings from staging a comeback on the coat-tails of Mills. The Mills campaign meanwhile hoped to make modest gains in Ashanti, while consolidating the swing elsewhere.

In the final analysis, Akufo-Addo achieved what he was hoping for in Ashanti during the second round. The total vote in Ashanti rose to 1,880,372 with Akufo-Addo taking 1,401,421 (74.5 percent) and Mills 478,749 (25.5 percent). Akufo-Addo had therefore conjured up another 187,071 votes and increased his overall share, whereas Mills had increased his numbers by a mere 40,515. If the balance of forces had remained the same in the other Regions, the additional votes (just over 1 percent of the total national vote) would have pushed Akufo-Addo over the winning line. As it happened, the gains in Ashanti were wiped out by the swing to Mills in all the other regions, including Brong-Ahafo that had gone to the NPP in round one. The question which arises is whether the NPP campaign team genuinely improved its performance in the second round or something untoward had happened. The results in certain constituencies do look extremely suspicious. At Manhyia where the recorded turnout was 95.7 percent, the NPP vote rose from 66,116 in the first round to 95,281 in the second (+24 percent). At Nhyiaeso, where the alleged turnout was 98.3 percent, it rocketed from 37,043 to 54,545 (+26 percent), and in Suame it climbed from 47,768 to 67,790 on a 95 percent turnout (+24 percent; cf. Table 1). The total turnout figures for Ashanti (83.3 percent) were out of line with the figures for the rest of the country (72.7 percent). Interestingly, the turnout in Akufo-Addo's own region, that of the Eastern Region, stood at only 72.2 percent. Given the closeness of the contest, these increases could have been enough to swing the overall result.

Perhaps voters in Ashanti genuinely feared a return of the NDC more than other Ghanaians. Yet recorded increases in electoral participation, leading to very questionable turnout figures at the constituency level, should have raised skepticism among international observers. It is unlikely that fraud occurred at the level of individual polling stations, given the strong presence of electoral observers. However, there may have been manipulation and intimidation in those polling stations or constituencies where NDC polling agents withdrew on polling day. The transmission of results from the constituency level to the Electoral Commission headquarters provides much broader scope for electoral rigging. This is confirmed by evidence in other countries, where elections have taken a violent turn in the post-poll period. The claim that two different sets of results were received in the EC 'strong room', with the second revealing much higher figures than the first, has never been properly explained. What is even more suspicious is that the regional office of the EC

appears to have deliberately held back declaring a number of Ashanti results.¹⁹ By releasing the NPP' bombs at the end, the NDC claimed, it was possible to claim victory at the last gasp, once it was known how many votes were still required to concoct a victory. There is some plausibility to this reading of what happened because a relatively comfortable Mills majority suddenly evaporated as the last results came in. It was not enough, as it happened, but the NPP came close to snatching victory at the last gasp: Constituencies that declared late included the same ones where there was an implausible turnout: notably Nhyiaeso (98.3 percent), Kwadaso (94.5 percent), Manhyia (95.7 percent), and Suame (94.7 percent).²⁰

The NDC complained about these figures, but after the Tain result was declared Afari-Gyan announced on 3 January 2009 that the EC had investigated the complaints and concluded that the NDC had failed to produce sufficient evidence in the shape of complete polling station returns for the disputed constituencies. In reality, this was a mammoth task, especially when some polling agents had not been present at the final count. Although the NDC was still deeply unhappy, it had been declared the overall winner and decided to live with the Ashanti anomalies rather than provoke a crisis. Since then, the EC has shown no inclination to revisit the issue. It has offered no explanation of the turnout figures, no reason for the late declaration of certain Ashanti results and has failed to mount a complete set of results on its website that would enable Ghanaians to judge for themselves. These are serious shortcomings that might come back to haunt the country in the future.

4. The case of Volta Region

The hope of NPP activists in the Volta Region for a reversal of their historic fortunes was based on a number of considerations. In the 2004 elections, the party succeeded in winning a parliamentary seat in Nkwanta North for the first time. The constituency is situated in a minority area in the northern part of the Region, where although Akan is used as lingua franca, even the different groups are not related to the Akan. The candidate was a medical

¹⁹ This comment is based on personal observation. Paul Nugent spent some time in the Electoral Commissioner's office on election day, and it was striking that a late release of results from Ashanti was being anticipated as a contentious issue.

²⁰ This situation reminded about the elections in Kenya 2007 which resulted in a political coup and a following 'civil war' with several thousands of deaths and hundreds of thousands of IRP. Although the situation in Kenya was different, e. g. Pro-Kibaki constituencies declared late due to their geographical location, this was used also to change result sheets. The Final Report of the EU-EOM gave one example.

doctor by profession and very popular amongst the Dagomba, the biggest group in the constituency. The NPP strategy was accordingly focussed on minority areas where they aspired to win at least four constituencies: Nkwanta North again, Nkwanta South, Krachi East, Krachi West as well as Ketu North in the Southern part of the Region where the Regional Minister was running. The NPP officials boasted of their concern for the welfare of the whole region: for example, they pointed out that their government had built a Polytechnic College in Ho which could significantly redress the perception of marginalization. Nevertheless, there was a common belief amongst people that public money had been diverted by a corrupt national government to other regions that were better endowed with basic infrastructure like roads, schools and hospitals.²¹

The NPP exploited the advantage of the incumbency in Volta region. For example they were able to provide large numbers of T-Shirts, school books in the villages, traditional presents to the Chiefs and Queenmothers, and – at least according to usually well informed local informants – also cash as an incentive to vote for the 'right' candidate. Some money was allegedly used to bring registration officers 'on board'.²² The deal was said to involve the registration of anyone brought by the party with no questions asked, including 'minors', and to place potential opposition voters on a wrong list of voters. This was precisely what happened in Hohoe during the registration process where two employees of the Regional Electoral Commission (REC) were arrested by police because of manipulating voters' lists.²³ According to information released by the police, the accused confessed having taken money from NPP. However, no complaint about the registration process was brought to the knowledge of the EU observers. Other fraudulent practices concerned ballot papers meant for NDC strongholds, that would be rendered useless by printing mistakes and subsequently be rejected by NPP party agents. This happened in a few places (e.g. in Nkwanta District), but its net effect was only to delay the voting process, and not to hinder it. In addition the NPP organized so called 'Party Youth' in a number of constituencies like Krachi East, with the aim of harassing opposition and election officials. This happened in Dambai.

²¹ In an Afrobarometer questionnaire 'How Ghanaians Rate the Performance of the NPP Administration' (Afrobarometer Briefing Paper No. 49 from June 2008) especially the Presidency is linked to corruption and government to inflation and income gaps. Though the data are taken nationwide they probably apply to the Volta Region as well.

²² This allegation is based on a strategy paper by NPP giving hints how to manipulate elections. Only some are being referred to here which actually took place.

²³ A court case was fixed after the election.

In the Regional NDC office the mood was the opposite. The atmosphere was very tense and party officials repeatedly came out with new press releases about planned fraud of their competitors – sometimes based on very questionable claims. They insisted that, for example in Dambai, houses of NDC members had been marked by NPP youths, thereby echoing what had happened in Rwanda. Yet no hard evidence could be shown to the observers.

The REC (Regional Electoral Commission) was able to secure an acceptable election process. Apart from Buem Constituency (District Jasikan), all constituency result sheets had been signed by representatives from both parties. In Jasikan, NPP agents failed to turn up for the tabulation process. The Returning Officer claimed that NPP party officials told them to stay away. The results in Volta Region showed a NDC landslide. Apart from Nkwanta North,²⁴ all other constituencies went to the NDC in the parliamentary polls. Many people spoken to by the EU observers had anticipated a result like this. In all districts or constituencies targeted by NPP, the party did better than ever before, and yet it was still far away from achieving a majority. There were only minor incidents, like in Krachi East where the car taking the ballot boxes to the regional office was attacked on the way and the boxes stolen. Since the Presiding Officer carried the signed result sheets, the REC was able to announce the results.

An internal strategy paper of the NPP,²⁵ which analyzed the first-round defeat in the region and recommended new tactics for the presidential run-off, raised some points that should be outlined here. It claimed that the NPP in the districts had not been able to give sufficient 'cash incentive' to REC officers, Police and Opinion Leaders. Party agents were paid inadequately and were more prepared to accept money from other sources. Many polling agents were identified as active NDC members.²⁶ This led to speculation about where the money from the Party's Headquarter had gone. The consequence for the regional NPP was that the Party's 'National Campaign Coordination' took over the party structure in the Volta Region. But it leaves no doubt that money was part of the party's strategy in Volta Region.

²⁴ The NPP did not win with a big margin which was due to a number of independent candidates who could win a substantial number of votes. At the presidential election NDC secured the majority.

²⁵ A copy of this paper was placed in the hands of the EU observers.

²⁶ This argument was never brought to the knowledge of the EU observers. On the other hand CODEO should have known since their observers came from the area but did not mention it maybe because they were not represented well in the Region.

Not much was seen in the local arena regarding the upcoming run-off, by contrast with the heated discussions on TV, radio and in the newspapers about electoral rigging in Volta and Ashanti Regions. NPP officials claimed that the elections in the Volta Region had been marred by fraud and stressed that their party agents had been harassed and had not been allowed to take up their duties. Apparently these general accusations were unfounded since their agents had signed all result sheets except one at the tabulation centres. It would have been easy for the REC in Ho to clarify all accusations, but the EC answered solely in general terms and did not refer to any concrete allegation.²⁷ In the end, it was part of NPP's propaganda to discredit the NDC in the run-off.

Two days before the second round, a group of about 100 so-called 'Macho Boys', that is sympathizers of NPP, were brought in from Accra. When asked about their role in the election the mainly young men claimed to work as polling staff. Unfortunately, they had no idea about election procedures²⁸. They expected to secure their accreditation in the evening.²⁹ They were brought to polling stations during voting day where they often met local party agents who refused to be replaced by them.³⁰ Some of them first came to the assigned polling station by late afternoon. Names on the party's official list had often been replaced or were overwritten. This was the reason why many Presiding Officers did not allow them inside the polling station. Others, who had been allowed inside, later refused to sign the result sheets.³¹ Evidence procured by REC³² as well as a number of oral confessions to the EU observers suggested that NPP party agents told them not to sign, though they actually could not give any concrete reason for their refusal.³³ In short, the presence of the 'Macho Boys' caused a lot of ill-feeling in the Volta region, although in the end they did not have much effect since the procedures in place were working. But they gave reasons for the party's officials on national level to come up with all kinds of

²⁷ This was left to the Press; but since journalists' movements were quite restricted because of financial constraints many cases were left open.

²⁸ The EU observers met them close to Kpando town where they were lodging and had a long discussion with a big number of them.

²⁹ The NEC had decided to give out badges as accreditation with no number or name on it. But a list with their names should have been given to REC at least two days before the election. This did not happen.

³⁰ Only two agents per party were allowed inside the polling station.

³¹ The constituency result summary sheets were not signed by NPP agents in three cases: Ho Central, North Dayi and Keta, by NDC Nkwanta North, though NDC got the majority. In Krachi East one PS out of 73 was left out (562 voters) because of faulty ballot papers and in Krachi West one PS (134 voters) out of 118 voting was disrupted. Both constituency result sheets were signed.

³² A written confession by one agent (PS Kpando no.2 in Constituency South Dayi) saying that he was phoned by the Party Youth Secretary who told him not to sign.

³³ The Law is saying if an agent refuses to sign he has to give the reason in a written form. This did not happen at any PS.

accusations against the REC and NDC and play on people's fears.³⁴ Nevertheless, compared to the first round, where the NPP secured 9.2 percent, their share rose to 13.94 percent in the second round while NDC came down from 88.64 to 86.06 percent. What is open to speculations is the much higher turnout in the 2nd round, namely 739,669 total votes as compared to 679,396 in the first round, amounting to an increase of 60,600 in the number of votes cast. Some of the increase in specific constituencies would warrant closer investigation by the REC or EC.³⁵

In spite of the NDC's presidential candidate Prof. Mills being of Fante origin, people in the Volta region still associated the party with former President Rawlings, the NDC's grey eminence who has a partly Ewe background. The reason given for why a change of government was necessary was that the power had to be taken away from 'those people in Kumasi' who allegedly did not care about Volta Region – the frailty poor road conditions were often invoked as evidence³⁶.

An indicator for the NPP's role in Volta Region in the second round, as seen by the party's 'National Campaign Coordination', was the failure of national NPP party officials to show up during the pre-election period. Obviously the region had been written off. It appears that the operative strategy was to disturb the election procedures and – if the situation should permit – to use this in order to hinder the official announcement of the final presidential results, if these would not be in favour of the NPP.

Three days before voting took place, the government closed the border with Togo, obviously because of the suspicion that a number of Ewe people from Togo had registered and would vote in the interest of their kinsmen. The furious reaction by NDC officials showed that this distrust was not completely misplaced³⁷. Nevertheless, it is an example of how the parties took 'ethnic' factors into account. Significantly, no other border was closed.

The Police were very reluctant to deal with actual conflicts like the one in Krachi East because they were afraid that their intervention might increase tension, as was the

³⁴ Paul Nugent and Tom Molony investigated NPP complaints of violence and intimidation in some Volta Region constituencies on behalf of the Carter Center, but no clear picture emerged. In one case, where serious allegations were made by the District Chief Executive, they encountered party executives from the NDC and NPP who were on extremely friendly terms.

³⁵ Ketu S. 11.167 more votes cast, Anlo 4.792, Avenor 5.073, Tongu N. 4.786, Ho C 4.495, and Ho East 4.954 are outstanding examples.

³⁶ see Nugent 2001.

³⁷ There has always been suspicion about the link between the Ewe on both sides of the Ghana-Togo border., including allegations of arms trafficking

case in the aftermath of conflicts with the Dagomba before. After all, they had been attacked in Dagomba area and it was only thanks to the appearance of the Military that disturbances in Dambai during the collation procedure were avoided. The festivities in Ho after the announcement of NDC victory were very restrained. A problem in future might be that all those party agents who allowed themselves to be misused might not be taken to court even though they have acted against the electoral law. It might be good for the ordinary voter to see them being taken to court in order to point out that the responsibility for proper conduct does not lie with party or government officials alone

In short, (perceived) ethnicity continued to be a major underlying factor in the 2008 elections in Volta Region, as indicated by the block-voting. The traditional structures and their role in the election have so far been left out in any analyses. As in most African societies, informal institutions, notably traditional authorities play a bigger role than is generally taken into consideration by election observers³⁸. The question is whether, and how far, other ethnic groups would become embroiled in ethnic cleavages within the framework of future elections. Whether the NDC and NPP will honour the Code of Conduct of the political parties as well as the formal legal precautions against instrumentalization of ethnicity in politics in the next elections remains to be seen.

5. Conclusion

Certainly Ghana's process of democratization is more advanced than in many other countries of sub-Saharan Africa. Already in the past, swing voting was in general significant enough to produce changes of government. In addition, it has become more difficult for individuals and political parties to cheat in Ghana's elections despite persistent voting irregularities and widespread abuse of incumbency. Two factors are important in this respect: first, the EC has largely been seen as an independent, fair and credible institution. Second, the elite and large sections of the population were prepared to accept results declared by the EC. Nevertheless, neglected or unrecognized electoral fraud and a history of impunity – underwritten by 'ethnicity'³⁹ in already volatile constituencies and

³⁸ All chiefs, queenmothers, herbalists, and church authorities spoken to were convinced about a clear win for NDC in Volta Region. Though they officially have a neutral position in reality they play an active role, using informal structures usually closed for outsiders.

³⁹ Again we underline that the category 'ethnicity' is problematic in so far as ethnic categories in Ghana are not that fixed. The Akan category for example is deeply problematic (cf. Nugent 2001). Nevertheless, 'ethnic

regions of decisive importance for the general outcome of the polls - could encourage large scale electoral fraud in future elections. This poses a threat and destabilizing factor in Ghana's democratization process.

The Achilles' heel of election administration in Ghana was the dubious voters' register and the irresolute attitude of the EC and other responsible authorities when it came to the rechecking of improbably high voter turnouts and apparent 'ethnic block voting' in several constituencies. Surprisingly, neither of the big political parties seem to have bothered to insist on rigorous in-depth investigation once their complaints were rebuffed by the EC. Could it be that the instrumentalization of ethnicity for voting was a zero-sum game, and that all concerned hoped to profit from it eventually? Or is ethnicity in Ghana still such a deadly issue that no-one dares touch it, lest it explode in his face?

Apparently, the constitutional and other legal provisions mentioned above to prevent 'ethnic block voting' had not been sufficient. It is open to question whether any refinement of these formal legal weapons to defend multi-party democracy can remedy the situation. In an environment where informal institutions in politics and economy are paramount, (cf. Meagher 2007), formal political rules operate under severe constraints. A piecemeal but painstaking democratization of the fabric of informal politics, including chieftaincy (which seems to be deeply involved in 'ethnic block voting'), and a meaningful decentralization policy would be required to lay a sustainable base for a functioning democracy at the grass-root level. However, past experience shows that 'decentralization from above' can not do the job. It prevents a genuine devolution of power, which would require among others a realignment of the structures of traditional authority in line with basic democratic requirements (cf. Bacho 2005; Crawford 2008; Lentz 2006, Owusu 2009). In short, there is nothing which could replace political struggle for real democracy from below.

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cleavages' constitutes is a deeply engrained emic view of the rule of politics in Ghana, therefore it has its analytical value in its own right.

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Table 1: Ghana presidential elections 2008: Ashanti region, results of doubtful validity
1st round (7.12.09) & run-off (28.12.09) (a) (c)

Ashanti		1st round				2nd round				<i>turnout %</i>
<i>Constituency</i>	<i>NPP</i>	<i>NDC</i>	<i>valid votes</i>	<i>turnout %</i>	<i>reg. voters</i>	<i>NPP</i>	<i>NDC</i>	<i>valid votes</i>	<i>turnout %</i>	<i>2nd -1st rd</i>
Afigya/Sekyere East	33.855	9.240	43.623	77,29	57.040	40.788	9.641	50.429	89,15	+12
Bantama (b)	40.493	7.649	48.690	70,90	69.215	56.227	8.532	63.759	93,81	+23
Atwima-Kwanwoma	33.324	6.013	39.766	77,69	51.995	39.147	6.564	45.711	88,42	+11
Kwabre East	43.329	10.473	54.288	75,06	73.222	50.502	11,796	62.298	85,68	+11
Kwadaso (b)	44.341	8.069	52.950	70,65	75.488	62.110	8.876	70.986	94,47	+24
Manhyia (b)	66.116	18.835	85.896	71,47	121.082	95.281	20.210	115.491	95,71	+24
Nyiaeso S.M.(b)	37.043	10.464	48.243	71,98	67.540	54.545	11.681	66.266	98,29	+26
Old Tafo	34.887	12.243	47.543	72,05	66.676	47.476	13.416	60.892	91,62	+20
Suame (b)	47.768	9.344	57.687	69,70	82.758	67.790	10.368	78.158	94,73	+24
Total	1.214.350	438.234	1.677.285	73,58	2.317.686	1.438.820	479.749	1.918.569	83,31	9,73

(a) results of turnout over 95%, or over 90% and overwhelmingly for one candidate, or difference in turnout between 1st and 2nd round > 10%

(b) constituencies questioned also by EU EOM Ghana 2008, final report

(c) 1st rd. preliminary results

Source: Electoral Commission of Ghana (EC); compilation by the authors.

Table 2: Ghana presidential elections 2008: Volta region, results of doubtful validity
1st round (7.12.09) & run-off (28.12.09); (a) (c)

Volta		1st round				2nd round				<i>turnout %</i>
<i>Constituency (b)</i>	<i>NPP</i>	<i>NDC</i>	<i>valid votes</i>	<i>turnout %</i>	<i>reg. voters</i>	<i>NPP</i>	<i>NDC</i>	<i>valid votes</i>	<i>turnout %</i>	<i>2nd -1st rd</i>
Ho East	1.373	21.168	23.235	67,44	35.233	1.836	26.605	28.441	81,50	+14
Anlo	863	31.153	32.462	70,63	46.653	1.328	36.207	37.535	80,88	+10
Keta	1.000	28.846	30.188	72,26	42.303	1.057	33.693	34.750	82,63	+10
Ketu South	2.815	56.484	60.238	62,52	98.283	3.415	68.595	72.010	73,88	+11
Total :	99.538	551.046	664.888	67,12	1.012.122	102.173	630.899	733.072	73,11	

(a) results of turnout over 95%, or over 90% and overwhelmingly for one candidate, or difference in turnout between 1st and 2nd round > 10%

(c) 1st rd., preliminary results

Source: Electoral Commission of Ghana (EC); compilation by the authors.

Heinz Jockers

ethnologist, Ph.D., Hamburg, is consultant to the EU, government bodies and NGOs on African Affairs.

Contact: h.jockers@gmx.de

Dirk Kohnert

economist, is Deputy Director of the Institute of African Affairs (IAA) at the GIGA German Institute of Global and Area Studies in Hamburg, Germany. He was managing editor of the institute's scholarly journal *Afrika Spectrum* from 1991 to 2009. Before, he was lecturer in development planning at Bielefeld University; he has a longstanding professional experience as senior development expert in several African countries.

Contact: kohnert@giga-hamburg.de

Website: <http://staff.giga-hamburg.de/kohnert>

Paul Nugent

is professor of Comparative African History and Director of the Centre of African Studies at the University of Edinburgh. He is president of the Africa-Europe Group for Interdisciplinary Studies (AEGIS), chair of the steering committee of the ESF-African Borderlands Research Network (ABORNE) and scholarly advisor to several Africanist journals.

Contact: Paul.Nugent@ed.ac.uk

Website: <http://www.shc.ed.ac.uk/history/staff/pnugent.htm>