

## Do we need constitutional and electoral reforms in Ghana – Post election blues?

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A constitution is a legal framework which guides the affairs of a country and it is the supreme source of legal authority. It is like the compass or rudder of a ship. It is not cast in stone but it is a living document which needs to be reviewed and revisited from time to time, in line with unfolding developments in the political, economic, social and technological landscapes.

Our current 1992 Constitution is now moribund as it has been overtaken by events such as the rapid advances in ICT, among others. I think we need a review of our current constitution so as to redefine clearly the powers, functions and roles of the judiciary, executive and legislature.

We need to critically examine the sort of relationship which should exist among the three arms or organs of government, and also to take a critical look at our local government structure, now called District Assemblies.

Our current centralised and unitary system of government is creating problems, as the dominant central government perpetuates a winner-takes-all syndrome. Our local government system is woefully malfunctioned and dysfunctional, as it lacks financial muscle or power to initiate major economic activities in the districts.

We do not need large central government paraphernalia which gobbles up taxpayers' money in useless allowances. President Obama in his famous speech in Accra warned us that we do not need strong leaders but rather we need strong institutions like effective and functional local governments at the grassroots.

What we need is functional District Assemblies whose leaders are elected by direct universal adult suffrage and not the current situation where incompetent and unpopular DCEs are foisted on the people by the ruling government.

This form of misgovernance must change for the better, because we do not gain anything but incompetence from this spoils system of rewarding foot-soldiers and clueless party cadres and diehards.

A case in point is that of my own town, Winneba, where recently, the inept DCE has been foisted on the people from above. I call upon the government to dissolve

and disband the current DAs as they are just glorified chambers for talking shop. We need functional local governments like the ones in the USA, UK, Switzerland, Germany, Japan and South Africa.

The current DAs bear traits of politicisation, and they lack non-partisan and professional credentials, because they were borne out of revolutionary fervour of the 80s and 90s, and they lack popular acceptability.

Even though drawing up a new constitution is a highly technical, expensive and time-consuming exercise, it is high time we had a proper constitution in place. Zambia has done it and they are about to produce one of the best constitutions ever in Africa. Kenya has done it too, having one of the best.

South Africa did it in 1995 and Kenya did it recently. Why not Ghana? We need to prune the excessive powers of the Executive monarch or President. We need to consider having a bicameral legislature.

#### Summary

- Ghana needs a new constitution in the light of new developments in the political, economic, social and technological environments and arenas
- Our current constitution, dating back from 1992, has become outmoded and moribund, because it was crafted during the revolutionary era from 1981 to 1992, and therefore it lacks general popularity, functionality and acceptability.
- Developments such as discovery of oil, gay rights, religious fanaticism, non-performing District Assemblies, tribalism and ultra-ethno centralism, media rot, youth unemployment, gender-based violence, falling educational standards, Chinese influx of our rural areas, empowerment of Diasporians to vote, among many other pertinent issues, require a review, reform and rethink of our 1992 Constitution.
- Our Electoral Commission should be overhauled in the light of the on-going electoral petition revelations in the Supreme Court.

- Non-representation of our senior citizens directly in governance is a serious deficiency, hence the need for a bicameral legislature so that our chiefs, retired generals, and former heads of state can automatically occupy the upper chamber as a check on the excessive powers of the ruling party and president, who may have majority MPs in parliament to ride roughshod to rubber-stamp the diktats of the incumbent president.

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