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A COMPARATIVE ANALYSIS OF MULTI-PARTY POLITICS IN GHANA AND MAURITIUS

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Abstract

Ghana and Mauritius have been examples of democracies in Sub-Saharan Africa. From a historical perspective, even though Mauritius achieved independence 10 years after Ghana achieved its independence, both countries share a lot of similarities on the political front. This chapter focuses on the evolution of multi-party politics from the advent of independence in these two countries and highlights how it has contributed in shaping and strengthening the concept of democracy. It demonstrates how multi-party politics has influenced civil and political rights from an international, regional and national perspective in terms of their implementation and enjoyment by their citizens. Furthermore it also analyses the power structure in the two countries, in terms of the executive, legislature and the judiciary and establishes how the evolution of multi-party politics has changed the democratisation of the power structure as well. It argues that interdependence of the state institutions has contributed to multi party politics in both countries. It further observes that respect for human rights and rule of law has also consolidated the democratic fabric in both countries. Furthermore, delving in the depth of the political and legal system, the chapter questions the holding of elections as an instrument of strengthening democracy and highlights the first post the post and the best loser system in Ghana and Mauritius respectively as a means of handling the cultural diversity in the two nations. Best practices from both countries are also highlighted to serve as examples that can be followed by other Sub-Saharan Africa countries.

1   Introduction

Ghana's gaining independence is a landmark in Africa's history of decolonisation and economic development. As Ghana approaches its 60th year of independence in 2017, it has been considered as an example on the democratic front on the African continent in the way it the state has been governed and especially in giving a voice to the citizens. In the same light, Mauritius, though having obtained its independence almost ten years after Ghana, is also one country shining by its example of how it has maintained and lived up to its image of being a democracy as it can be gleaned from

the democracy index[1] and the Mo Ibrahim Index.[2] This chapter aims to do a comparative analysis of the evolution of multi-party politics in both countries, by highlighting how they overcame the challenges present in newly independent states (after they gained independence) crossing the transitional period from a colonised nation to a free state, and highlighting the influence of the introduction of multi-party politics in the democratisation process as well as the promotion and protection of human rights and rule of law in general. Broadly speaking, this chapter highlights the differences between both countries as their political histories and trajectories are largely different but also shows how both crossed the democratic transition periods and still maintained them peacefully to be two shining examples for democratic governance on the continent. The chapter firstly starts by giving an introduction of both countries, their geopolitical differences to clarify that the variables, on several levels, involved for both countries remain distinct and to set the pace for the comparative analysis.

The Republic of Ghana, a previous British colony, obtained independence in 1957.[3] Spread across a land mass of 238,535 km^2 and bordered by Burkina Faso in the North, Togo in the East, Côte d'Ivôire in the West and the Gulf of Guinea and Atlantic Ocean in the south, it is a sovereign unitary presidential constitutional democracy.[4] It is noted that the main system of rule in Ghana is a unitary presidential constitutional democracy which states that it gives the President and the Constitution the highest status in terms of decision-making. With a population around 27 million, Ghana is a multicultural nation, as can be gleaned from the variety of ethnic, linguistic and religious groups present in the country.[5] Five percent of the population practice traditional faiths, 71.2 per cent adhere to Christianity and 17.6 per cent are Muslim.[6] The main source of income, inspired from its diverse geography and ecology ranges from coastal savannahs to tropical jungles and the exports range from cocoa to gold to petroleum products.[7] Ghana is a member of the Non-Aligned Movement,[8] the African Union, the Economic Community of West

1   Economist Intelligence Unit 'Democracy Index 2016' https://www.eiu.com/public/topical_report.aspx?campaignid=DemocracyIndex2016 (accessed 20 June 2017).
2   Mo Ibrahim Foundation 'Ibrahim Index of African Governance' http://mo.ibrahim.foundation/iiag/ (accessed 20 June 2017).
3   'Video: A New Nation. Gold Coast becomes Ghana In Ceremony, 1957/03/07 (1957). Universal Newsreel' (1957) (accessed 31 October 2016).
4   West Africa Discovery 'Ghana: West Africa Discovery' (accessed 31 October 2016).
5   Indexmundi 'Ghana's demographic profile' http://www.indexmundi.com/ghana/demographics_profile.html (accessed 26 June 2017).
6   See n 5 above.
7   Ghana exports, available at https://tradingeconomics.com/ghana/exports (accessed 26 June 2017).
8   'The non-aligned movement' http://www.nti.org/learn/treaties-and-regimes/non-aligned-movement-nam/ (accessed 20 June 2017).

African States (ECOWAS), Group of 24 (G24) and the Commonwealth of Nations.[9]

Shifting from West Africa to South Eastern region of the mainland continent, located in the Indian Ocean, The Republic of Mauritius consists of several islands namely: Mauritius, Rodrigues, Agalega and St Brandon. It is to be noted that Mauritius also claims its territory on two islands whose ownership is currently disputed: The Chagos Archipelagos which is owned by the British (also known as Diego Garcia or the British Indian Ocean Territory) and Tromelin Islands, owned by the French. Mauritius has been an Arab, Dutch, Portuguese, French and English colony before and the country remains multilingual and multi-cultural.[10]

As per the World Bank's Population Statistics in 2013, the Republic of Mauritius has a multi-ethnic population of 1.3 million.[11] Compared to Ghana which has a rich royal history, Mauritius has no indigenous population as people were instead brought in from different parts of the world to work: Africans came as slaves, then Indians as indentured labourers after the abolition of slavery to work in sugarcane fields (sugarcane being the main export at that time), and in the early 1900s a small community of Chinese came as traders mostly for small shops. The ethno-religiousness of the different people on the island at present is divided as follows: Hindus (52 per cent); Muslims (16 per cent); Creoles of African ancestry (27 per cent); Chinese (3 per cent); and Franco Mauritians of European ancestry (2 per cent).[12]

In the footsteps of Britain, Mauritius follows the Westminster parliamentary system[13] and the President is the Head of State while the Prime Minister is the Head of the Government. As for the main pillars of the economy are concerned, Mauritius shifted its focus from sugarcane as its sole export during its immediate years after obtaining independence to focus more in the services sector, focusing largely on tourism, offshore, financial and banking services and now serving as an Information Technology hub in the region. Mauritius belongs to the Southern African Development Community (SADC), and the Common Market for Eastern and Southern Africa (COMESA), Commonwealth of Nations as well

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9   https://www.indexmundi.com/ghana/international_organization_participation. html. (accessed 20 June 2017).
10   'Brief history of Mauritius' https://www.maurinet.com/about_mauritius/brief_ history (accessed 26 June 2017).
11   World Bank Report 2013, available at https://openknowledge.worldbank.org/ bitstream/handle/10986/16091/9780821399378.pdf (accessed 25 June 2017).
12   S Bunwaree & R Kasenally, 'Political parties in Mauritius', EISA Research report (2005) available at https://www.eisa.org.za/pdf/rr19.pdf (accessed 30 October 2016).
13   'The Westminster System of Parliamentary Government', 30 June 2013 http:// thoughtundermined.com/2013/06/30/the-westminster-system-of-parliamentary- government/ (accessed 23 June 2017).

Organisation de la Francophonie (OIF) as it was both a British and French colony.[14]

The chapter is divided into 5 sections, the first chapter delineating the history and the evolution of multi-party politics in both Ghana and Mauritius since the advent of colonialism, pre-and post-independence, also showing the neo-colonial influence which kept permeating both countries especially in governance matters. The second section then deals with the influence that the multi-partism had on the promotion, protection and enjoyment of human rights from the international, regional and national perspectives. The third section then analyses the role of the decision-making and oversight mechanisms and bodies in the democratisation process namely the parliaments, the courts, the electoral monitoring bodies and the national human rights commissions. It is followed by the fourth section which discusses the intricacies of the political and electoral systems in Mauritius and Ghana, highlighting the inner mechanisms of the political parties play a huge role in consolidating the democratic fabric. After a thorough analytical approach of the above mentioned 4 sections, section 5 then highlights the best practices in Mauritius and Ghana and finally the chapter gives some conclusions and recommendations for other countries to learn from the two democratic exemplars of the continent.

2 History of multi-party politics in Ghana and Mauritius

This section discusses the advent of colonisation and pre and post-independence movements in Ghana and Mauritius. It specifically demonstrates how the pre independence dynamics have largely influenced the political parties and their functioning today in the current political scenario. It also highlights how for political parties, ranging from independence till now, there has been a shift in the ideology of the political parties and the dissonance between those who fought for freedom and those parties which took birth after independence.

One cannot undermine the role that multi-partism has played in strengthening democracy. Jibrin Ibrahim, a well-known West African political scientist and scholar who played an active role in the civil society of Nigeria maintains that 'multi-partism' has become not only the latest addition to the many meanings 'democracy' has centrally acquired since the beginning of post-colonialism in Africa, but also the 'yardstick with which recent societal developments in Africa are assessed'.[15] This sentence

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14   R Sannassee & T Verena 'Regional trade integrations: A comparative study of African RTAs' *(*2011) http://sites.uom.ac.mu/wtochair/Conference%20Proceedings/15.pdf (accessed 24 June 2017).
15   J Ibrahim *Democratic transition in West Africa* (2003) 8.

can be interpreted as multi-partism is key to the well-functioning democracy post-independence – in other words, how strong, how visible and how strongly rooted are these multiple political parties and how have they been playing their role in post-colonial Africa. How active and how committed have the people of Africa been in shaping and pushing these political parties, what has been the level of involvement from people from the grassroot levels to ensure that these political parties are representative of the voice of the people, instead of catering only to the elite class and a specific category of people- are few questions that need to be answered while discussing the role of multi-party politics in strengthening democracy in post-colonial Africa.[16]

Ghana's pre independence period was marked by a series of slavery, exploitation and convenience to the mother country instead of the colonised territory.[17] Sutherland-Addy argues that after students had access to study abroad and be exposed to world machinations, they had 'emancipation through education' in Joseph Casely-Hayford's words. They belonged to the class of elite lawyers and journalists who were pivotal in forming the first political party in the 'Gold Coast' as Ghana was called back then and began the final struggle for independence. It is noteworthy how it is people in closest contact with the masses influence their thinking. People in colonies were dissatisfied with their living conditions as it suited the mother country as explained above, that is, to serve the interest of the United Kingdom instead of Ghana which became much more accentuated post-cold war and therefore many started to manifest their discontent with colonial rule.[18] Dr Kwame O Nkrumah, who was himself a product of the British earned education was considered the most 'dynamic leader of the independence movement and his political consciousness greatly influenced the independence of Ghana'.[19]

Ghana's post-independence history was marked by a series of *coup d'états*, long years of military rule.[20] Ghana's first president was Dr Kwame O Nkrumah and has been followed by 3 Republics. The idea of a Republic, as defined by the Marriam-Webster dictionary is to be no longer governed by a monarch.[21] Ghana being a republic means that it is now a sovereign

16   KK Prah 'Multi party democracy and its relevance in Africa' https://www.scribd. com/document/258835210/Prof-KK-Prah-Multi-Party-Democracy-and-It-s-Relevan ce-in-Africa (accessed 23 June 2017).
17   A Howard 'When the people decide: A study of the independence movement in Ghana' (1999) http://digitalcollections.sit.edu/african_diaspora_isp/41/ (accessed 21 June 2017).
18   'Colonialism and the African experience' https://catalogue.pearsoned.ca/assets/hip/ us/hip_us_pearsonhighered/samplechapter/0205851711.pdf (accessed 22 June 2017).
19   Howard (n 17 above).
20   A Thompsell 'A brief history of Ghana' https://www.thoughtco.com/brief-history-of-ghana-3996070 (accessed 20 June 2017).
21   RB Wells *The idea of the American Republic* http://www.mrc.uidaho.edu/~rwells/ techdocs/The%20Idea%20of%20the%20American%20Republic%20-%20A%20Poli tical%20Science%20Essay/Chapter%2001%20Fundamental%20Ideas%20of%20the% 20Republic.pdf (accessed 19 June 2017).

state whereby the power resides in elected individuals representing the citizen body in a form of government. The key word remains elected individuals who are therefore the voice of the people as their chosen one. In a republic and in a democracy in general, the element or the agency of choice remains crucial. The 3 republics, which have been stated above, have been as follows: First Republic under Nkrumah's rule (1960-1966), Second Republic (1969-1972) and Third Republic (1979-1981). It is stated that the 'interludes of the civilian governments under these republics have been short lived, unable to survive for up to three years without being overthrown in a *coup d'état'*.[22] Therefore the question that may be asked here is in the repetitive series of *coup d'états*, how can the term elected be explained? A *coup d'état* is declared by the overtaking of the ruling authority by the military and this situation is no longer the choice of the people but it is a force imposed on the people. This means that from 1967 till 1981, for almost 25 years, Ghanaians citizens had no voice in the decision-making of their countries since their voice was always being crushed. It means that immediately after independence, the beginning of the democratisation process has been a downward slope.

As a beacon of hope, and the political awakening of many about the realisation or the importance that a constitution plays in the democratic pathway of a country 'in the late 1980s, after nearly one decade of quasi–military rule under the Provisional National Defence Council (PNDC), there were strong internal and external pressures on the government which finally led to the promulgation of a liberal constitution in 1992 and the inauguration of a multi-party democracy in 1993, ushering in Ghana into its Fourth Republic'.[23] Since then, Ghana has held six successful multi-party elections – 1992, 1996, 2000, 2004, 2008, 2012 with the seventh one set of Presidential and Parliamentary elections which was scheduled for 7 December 2016.

The Electoral Commission of Ghana currently has 30 political parties which are registered with it and they are All People's Congress (APC), Convention People's Party (CPP), National Convention Party (NCP) – merged with PCP to reform CPP, People's Convention Party (PCP) – merged with NCP to reform CPP, National Independence Party (NIP) – merged with PHP, forming PCP, People's Heritage Party (PHP)- merged with NIP, forming PCP, Democratic Freedom Party (DFP), Democratic People's Party (DPP), Every Ghanaian Living Everywhere (EGLE Party), Ghana Democratic Republican Party (GDRP), Great Consolidated Popular Party (GCPP), Ghana Freedom Party (GFP), Ghana National Party (GNP), Independent People's Party (IPP), National Democratic Congress (NDC) – 'Nkrumah/Rawlings' tradition, National Democratic

22   Thompsell (n 20 above).
23   A-Ga Abdulai 'Political context study: Ghana' (2009) http://www.polis.leeds.ac.uk/ assets/files/research/research-projects/abdulai-ghana-political-context-study-jan09. pdf (accessed 19 June 2017).

Party (NDP), New Patriotic Party (NPP) – 'Danquah-Dombo-Busia' tradition, National Reform Party (NRP), New Vision Party (NVP), People's National Convention (PNC), Progressive People's Party (PPP), Reformed Patriotic Democrats (RPD), United Development System Party (UDSP), United Front Party (Ghana) (UFP), United Ghana Movement (UGM), United Love Party (ULP), United Progressive Party (UPP), United Renaissance Party (URP), Yes People's Party (YPP) and Ghana Redevelopment Party (GRP). The main political rivalry in terms of ideology remains between Nkrumah's continuing legacy, the NDC and the new elite or the new intellectualism, the NPP.

After having delineated the rise of Ghana's political parties, Ghana's liberal constitution, which was promulgated in 1992, has played a great role in strengthening the power of the people to have a say in the decision-making. Gyimah Boadi, a Ghanaian scholar from the Centre for Democracy and Development argues that in institutionalising multi party democratic governance via the 1992 constitution, a sharp contrast to the tumultuous years of military rule that Ghana went through, the progress that the country has made is indeed commendable.[24] He further adds that there is 'there is considerable evidence of political liberalisation which allows Ghanaians to enjoy a much wider range of rights and liberties, as well as the emergence of a vibrant civil society and a free and independent media that increasingly hold government accountable on behalf of citizens'.[25] This thus shows that the way to democratic consolidation, though has been an uphill battle is synonymous to Ghana being like the Phoenix which rose from its ashes to rebuild itself into a strong, democratic nations, driven by the wants and voice of the citizens.

Furthermore, scholars such as Whitfield, Jones and Ninsin (2008) further add that Ghana's political performance under the Fourth Republic has not only been about holding successful elections, but with the strong, active and meaningful participation of the different political parties, 'Ghana has been touted as one of the political success stories in Africa'.[26] It can also be gleaned that Ghanaians, especially the leaders of the political parties have understood and abided by the values of democracy, by showing that power cannot be held on to forever as there has been successful peaceful acceptance of elections results. This can be demonstrated by the peaceful transfer of power from the government of the National Democratic Congress (NDC) to the New Patriotic Party (NPP) following national elections in December 2000 and the same which followed in December 2016. This undoubtedly shows 'how far Ghana has

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24 Gyimah-Boadi *Democratic reform in Africa: The quality of progress* (2004).
25 As above.
26 L Whitfield 'Ghana since 1993: A successful democratic experiment?' in AR Mustapha & L Whitfield (eds) *Turning points in African democracy* (2009) 50.

travelled along the path towards democratic consolidation over the past decade'.[27]

In addition to it, One of the striking features of the multi-party politics helped made Ghana into the strong democratic state it is today is often known as The Rawlings Effect, as Ibrahim Jibrin puts it.[28] It is also one of the most notable contributions to academic literature. Even though he himself came to power via a *coup d'état*, the fact that he allowed a liberal constitution to be put in place, and the economic development that it brought through, Ghanaians saw him as 'a man of the people' and the impact can still be felt today.[29] Is it charisma or far sighted visionary leadership is one question that remains divided as an answer. However the interesting aspect is that in spite of the fact that he was military personnel, he agreed to go for the democratisation wave of the country, and did not insist on staying in power after the elections. The Rawlings effect or phenomenon also highlight the persona of a leader as to what should be the priority, is it one's own immediate interest or benefit or the long term benefit or interest of the nation.

The scenario in Mauritius to obtain independence was slightly different from that of Ghana. Sheila Bunwaree and Roukaya Kasenally, both noted Mauritian sociologists and political scientists respectively, argue that,

> while many countries can speak of their independence as being fuelled by nationalist sentiment, Mauritius experienced a different situation altogether: no nationalist sentiment existed in Mauritius. Anti-colonial feelings were expressed by the Hindu majority but large sections of the other ethno-religious groups preferred to maintain ties with the mother country. Mauritius was divided as it negotiated its way towards independence: 44% of the population voted against independence, but independence was finally granted to Mauritius in 1968.[30]

The question that needs to be asked here is that can Mauritius really be called a nation where the citizens surpass or overcome the religious or community belongingness aspect to have the 'national' feeling.

The fact that 44 per cent of the Mauritian population was against independence can be explained by the fact that the ethno-religious factor played and still plays a huge role in the political scene of the country. As explained earlier, Mauritius has no indigenous population, everyone was brought from somewhere – a mixture of different origins, Indians, Chinese, Malagasy, Mozambicans, amongst others. With the abolition of slavery, many of them decided to go back and some decided to stay.

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27   Whitfield, as above.
28   Jibrin Ibrahim (n 15 above).
29   As above.
30   Bunwaree & Kasenally (n 12 above).

However this labour was not enough for the sugarcane plantation and the ebony wood which was being exported to the UK and other countries and that was how the indentured labourers were brought in from India almost 182 years ago. Research shows that they were brought under the pretext of a richer and more fulfilling life, however later on they discovered things were as bad as it was in India.[31] This is why most of the anti-colonial feelings, in search and hope of a better lifestyle came from the Hindu majority as compared to the rest of the ethno-religious groups. It can also be linked to the psyche of the Hindu majority – was the status quo preferable considering that they already stepped out for the unknown once (when they made the decision to leave their homeland and come to Mauritius) and now another unknown (the advent of independence) coming their way.

Bunwaree and Kasenally further add that 'in spite of the tensions and conflicts preceding independence and fear of the large "Hindu hegemony", Mauritius has never developed a "bullet" culture, adopting instead a culture of the "ballot"'.[32] Once again, it can be attributed to the community sense of unity among the Hindu majority of having been uprooted and trying to establish a stable life on a foreign land. Post-independent Mauritius has had a relatively sound track record of holding free and fair general elections since independence without any major contestations. Elections have been held in 1976, 1982, 1987, 1993, 1991,1995, 2000, 2005, 2010 and 2014.[33] It is noteworthy that Mauritius does not have a military and since its independence, establishing an army was not given any priority by any government which came into power. Even dating as at June 2017, the Ministry of Home Affairs and Defence falls under the office of the Prime Minister and not under the Office of the President.

It can be observed that elections in Mauritius have almost a festive like aspect to them with campaigns starting almost a year before elections – door to door campaign and a relatively high number of Voter turnout. It was noted that during general elections in 2014 was 74.11 per cent.[34] Elections are carried out and celebrated with a lot of fervour, grandeur and pomp.

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31   S Boodhoo 'New perspectives on indentured labourers' *ApravasiGhat Trust fund newsletter*   http://www.aapravasighat.org/English/Resources%20Publications/Docu ments/AGTF%20Newsletter%202012.pdf (accessed 20 June 2017).
32   Bunwaree & Kasenally (n 12 above).
33   R Sithanen, 'Coalition politics under the tropics: office seekers, power makers, nation building: A case study of Mauritius', paper presented at an *EISA Roundtable Political party coalitions – Strengthening Democracy through Party Coalition Building*, Vineyard Hotel, Claremont, Cape Town, 19 June 2003 http://aceproject.org/ero-en/topics/ parties-and-candidates/mauritius.pdf (accessed 20 June 2017).
34   EISA 'African Union Election Observation Mission report' http://aceproject.org/ero-en/regions/africa/MU/mauritius-african-union-au-preliminary-statement/view (accessed 18 June 2017).

Bunwaree further adds that 'political parties constitute the machinery for democratic control of political power as they articulate and aggregate the interests of diverse groups in society and form the basis of political pluralism'.[35] There are several political parties in Mauritius but the three largest and most dominant ones are the *Mouvement Militant Mauricien* (MMM), the Labour Party (LP) or *Parti Travailliste* and the *Mouvement Socialiste Mauricien* (MSM). These three parties have largely dominated the electoral plane in Mauritius. Even though Mauritians abide by the ideologies of these different parties, the peoples and the families leading these parties have remained the same. It is largely familial patriarchal political rule from generations to generations. To suit the purpose and interest and as a clever political manoeuvre, each of these three parties has been in an alliance with one or the other at different times in different elections, sometimes even parties having completely fundamentally different or contrasting ideologies.

The issue of the ethno-religious aspect needs to be analysed in the context of a post-colonialor post-independence Mauritius. To understand the Mauritian political scenario, it needs to be looked at from the point of view that ethnocentrism and religion and community living is deeply embedded in the societal tissue. As it is put brilliantly by political scientists working on this issue: 'the LPs pro-independence struggle allowed it at the time to rally most of the Indo-Mauritian groups (Hindus, Muslims, Tamils and others) behind it, while the *PartiMauricien Social Democrate*(PMSD) essentially represented the Creole community and the minority group of people of European descent (the whites)'.[36] The leader of the LP was a Hindu thus representing the majority of the workforce.

Sheila Bunwaree also adds that

> [h]owever, post-independence Mauritius saw the emergence of a new party – the MMM – that was to challenge the old LP guard and appeal to certain ethnic groups, namely the Muslims, a fair segment of the Creole community and certain minority strands within the Hindu majority group. The 'hegemony' that the LP had acquired vis-à-vis the Hindu community as an ensemble was eroding, and this was further exacerbated with the formation of the *Parti Socialiste Mauricien* (PSM) – a splinter party emanating from the LP which joined forces with the MMM for the 1982 general elections. The ethnic value of the PSM has been widely commented on, and to many political observers it allowed the MMM to move away from the established perception that it comprised only Muslims, Creoles and certain ethnic minority groups.

An analysis of this phenomenon also shows that the MMM came up as a result of pent up frustration from the performance of leaders post-independence. The MMM was a proof of the new elite – new blood surfacing, similar to the rise of the NPP in Ghana.

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35   Bunwaree & Kasenally (n 12 above).
36   As above.

One more party which was created after independence was the MSM which was sort of the twig being broken off the main party which is the LP. The leaders of the MSM broke off from the LP because of ideologies and personal beliefs being changed and thus adopted a more socialist point of view- an ideology which was catered for the welfare of the citizens while being under the care of the government. It also needs to be noted that the MSM also had Hindu Leaders of Indian Origin as their principal political figures.

Furthermore, Sheila Bunwaree and Roukayya Kasenally also argue that

> [w]ith the creation of the MSM in the early 1980s, the party recuperated and rallied a large section of the Hindus who had been staunch supporters of the LP prior to its 1982 decline. In fact, the period 1983-1989 saw the great reunion of the Hindu community, with the MSM taking on board for two successive elections (1983 and 1987) the LP as well as other minority parties. As for the PMSD, the presence and clout that it had secured among the Creole community during the pre-independence period steadily dwindled with the creation of the MMM. The PMSD has also suffered from multiple splits which have further fragmented its electoral base.[37]

The socialist aspect employed by the MSM allowed them to win the trust of the populace and the fact of being catered for and being provided the essential services such as health care, education, sanitation, basic services such as water, electricity and transport and also the de-monopolisation of the economy played in the favour of the MSM winning two consecutive elections.

In the Mauritian context, it is interesting to note how the political affiliations of many are mostly religiously or community motivated. It can often be seen that it is about community belongingness that becomes a motivating factor to vote instead of the strength of the electoral manifesto itself. It can also be argued that since Mauritius did not have an indigenous population, the fact that most of the population were brought to the country, they still attach a lot of importance to their roots. By showing loyalty to the political party where most of their community members are, there is a sense of security and a sense of brotherhood/sisterhood that permeates. For example, even after so many years of independence, one would still find that a large part of the Hindu community would vote for the LP and saying that for generations, the family has been voting for the LP and it is the LP that would eventually ensure that Hindus are given their rights, even though the MSM brought in the major or the first economic miracle.

37   As above.

As explained earlier, Ghana's trajectory to independence was one vision- the tribal affiliations though prominent, but the efforts were joined as one state to obtain independence. This was however not the case for Mauritius. Ghana even before the colonisers came, had people living and residing on its territory but Mauritius was no man's land. It was discovered by sailors and was occupied and then it was made into a habitable territory, albeit it was nobody's home initially. To all those who were brought to Mauritius, this unknown piece of land was foreign to them and they had to make it their 'home' land.

Similar to Ghana, where Nkrumah was considered as the founding father and Rawlings the economic shaper of the country, in Mauritius the leader of the LP, Sir Seewoosagur Ramgoolam is considered the Father of the nation and Sir Aneerood Jugnauth is seen as the man behind the economic miracle of the country, as having diversified the economy and created jobs at an unprecedented level with almost every household having a breadwinner or even two. As a parallel to the Rawlings effect in Ghana, in Mauritius it can be termed as The Jugnauth effect. One major difference between both countries though is that Ghana was part of the structural reforms proposed by the International Monetary Fund and the World Bank while Mauritius focused more on non-privatising basic services like health and education.[38] Maybe the better economic performance of Mauritius in spite of having very little limited natural resources is the fact that it stood undaunted vis a vis these structural reforms as proposed by the International financial organisations.

3   Multi-party politics and their influence on civil and political rights

African history has seen its fair share of human rights abuses within the one party system ranging from abuse of power, arbitrary detention of opposition members among others. The political scenario is replete with dictators sticking to power and simply refusing to leave or see reason. With the advent of multiple political parties there has been a greater enjoyment, promotion and protection of human rights, especially on the civil and political rights starting from the right to stand as a candidate and the right to choose one's representative freely. Multiple political parties have allowed broadening the perspectives and accountability for the ruling government by creating very strong oppositions. Ghana has gone through dictatorial rule and military rule however Mauritius has not. This section deals with the ratification and domestication of international and regional

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38   T Kondo & T Makanza 'A pro-poor alternative development strategy for Mauritius', *Mauritius Congress of Trade Unions (MTUC)'s working papers* (2013) http://www.ansa-africa.org/sites/default/files/publications/ANSA%20Mauritius%20Publication.pdf (accessed 15 June 2017).

treaties and exemplifies how through the democratisation process, it has been a long remarkable way for both Ghana and Mauritius.

3.1   International perspectives

Ghana's and Mauritius's commitment to human rights protection can be seen in the countries' ratification of important human rights treaties at the international level. They are both state parties to the International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (CESCR), the Convention on the Elimination of all forms of Discrimination against Women (CEDAW). It is noteworthy that Ghana was the first country to sign the Convention on the Rights of the Child in January 1990.[39]

Thus, it can be gleaned that both countries have demonstrated political will by signing and ratifying these two covenants which remain the founding documents for other regional and national instruments to be inspired from.

3.2   Regional perspectives

At the regional level, Ghana and Mauritius are both state parties to the African Charter on Human and Peoples' Rights. They are also state parties to Convention on the Refugees and Internally displaced people in Africa (the Kampala Convention). Both countries have also signed and ratified the African Charter on the Rights and Welfare of the Child. Ghana is a state party to the Maputo protocol while Mauritius has only signed the document. Ghana is also a state party to the African Charter on Democracy, Elections and Governance (ACDEG) while Mauritius has only signed the said treaty.

Shifting the focus from the African Union to the regional level, Ghana is part of the ECOWAS and Mauritius is part of SADC. Ghana has ratified the ECOWAS supplementary protocol on Democracy and Good governance while Mauritius has ratified the SADC Gender Protocol.

Both these countries in terms of the ratification of the regional treaties have been examples in their respective regions. Thus, it can be understood that from the political plane, there is willingness to abide by the regional norms and standards of human rights instruments.

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39   OSIWA and IDEG 2007 cited in Abdulai, n 23 above.

3.3   National perspectives

As far as the national perspectives are concerned, they are different for both the countries as they belong to different legal systems. Ghana follows the common law system[40] while Mauritius is a unique hybrid legal system of both the civil code and the common law system since it was colonised both by the French and the English.[41]

Article 40 of the Ghanaian constitution stipulates that there shall be respect for International Law and international treaties and covenants.[42] While aligning these conventions to domestic law, Ghana's establishment of human rights provisions after a terrible history of mass human rights violations is indeed impressive. Article 27 of the Constitution specifically provides for women's rights ranging from maternity leave to equal rights for promotion of women.[43]

To further consolidate human rights in the country, Ghana has a Human Trafficking Act of 2005 (Act 694) to combat the growing trafficking of children for forced labour; Disability Act of 2006 (Act 715) to protect and promote the rights of persons living with disability; a Domestic Violence Act of 2007 (Act 732) to protect women and girls from all forms of violence at all places. The NDC government also established Women and Juvenile Units (WAJU) in the Ghana Police Service to give special attention to addressing discriminatory acts against women and children in 1998.[44]

To address the long years of injustice and human rights violations, the NRC established a National Reconciliation Commission to investigate and address past human rights abuses during the country's periods of unconstitutional government between 1957 and 1993.[45] Amnesty International reports that in October 2004 the government decided

> on a comprehensive reparations package that covers a range of acts including a formal presidential apology to victims of human rights abuses by state agents, scholarship and health benefits for survivors and their families; restitution of confiscated property; monetary compensation; and the need for institutional reforms such as training on human rights for the military, police,

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40   C Afeku 'Ghana legal system: An overview' http://www.law.du.edu/documents/enrgp/ghana.pdf (accessed 15 June 2017).
41   'Mauritius has a hybrid legal system' available at https://www.lawteacher.net/free-law-essays/administrative-law/mauritius-has-a-hybrid-legal-system-administrative-law-essay.php (accessed 15 June 2017).
42   Constitution of Ghana, art 40.
43   As above, art 27.
44   Prah (n 16 above).
45   N Valji 'Ghana's 2003 Report of the National Reconciliation Commission; A comparative assessment' *Occasional paper series of the International Centre for Transitional Justice* http://www.icla.up.ac.za/images/un/commissionsofinquiries/files/Ghana%202003%20National%20reconciliation%20Commission%20Report.pdf (accessed 20 June 2017).

judges and prison officials, given that these were the institutions most responsible for past human rights violations.[46]

Valji further adds that in 2005, the government issued a White Paper accepting some of the recommendations of the Commission, and promising to establish a reparation fund to compensate human rights victims.[47] Around 2000 victims started to be paid in October 2007. What is commendable in Ghana's respect and promotion of human rights is the will of the government to address the wrongs that has been done, though it had been done by previous governments. It is about the inclusion of the marginalised groups and giving special attention to ensure that they are not left behind. The policies are gender sensitive and even though it is still work on progress and a lot needs to be done, it can be observed that the beginning is in the right direction.

Mauritius on the other hand has not consistently suffered systemic mass human rights violations as compared to Ghana. It has been lucky never to have been under military or dictatorial rule. Some of the advances that Mauritius has made in the field of human rights at the national level can be the amendment of the rules of the political party stating that it is mandatory to have at least 1/3 of female representation in each constituency. Furthermore, as one of the pioneer countries in the region, after South Africa, Mauritius now has an Equal Opportunity Act which criminalises discrimination on the basis of sexual orientation. As such, it can be observed that Mauritius, though it ranks 1st on the Mo Ibrahim Index of Governance on the human rights and Rule of law factor does indeed have a long way to go from ratifying and implementing the regional AU treaties and domesticating them at the national level.

4   Multi-party politics and the democratisation of the power structures in Mauritius and Ghana

The democratisation process is only successful when alongside multiple political parties; there are strong, independent well-functioning institutions-institutions that help to consolidate the democratic psyche of the nation-institutions in which the citizens put their trust that will safeguard the interest of each and every one. Professor Prah puts it as follows:[48]

> While the will for democratic dispensation undoubtedly exists everywhere in Africa, this is only one side of the coin. The other side of the coin is the desirability of adequate and appropriate institutions, established and

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46   Amnesty International 'Amnesty International report 2004 – Ghana' http://www. refworld.org/docid/40b5a1f410.html (accessed 20 June 2017).
47   Valji (n 45 above).
48   Prah (n 16 above).

respected procedures, accepted conventions and forms of social conduct through which democratic practice can be consistently routinized in the day to day running of a country. An honest commitment to democracy may not bring forth much in a reality where there still are vested interests in control of key instruments of the state, possibly legitimized by corrupted notions of 'tradition' and authority. Likewise, the best institutions and operational rules of democratic organisation are no more than a mere sham, if politicians do not use them in good faith.

The institutions, which are being dealt with in this section, are the Parliaments highlighting the difference between the two countries and the Electoral monitoring bodies.

4.1   The parliaments

The parliament remains a key institution in the democratisation process of the country. It remains at the heart of decision-making. Both countries' parliaments underwent structural changes to where they stand and function today. It represents the seat of trust of the people that has been placed in the elected/chosen representatives.

Oquaye argues that the Parliament of Ghana has undergone many significant changes over the past two decades and that Parliament's dissolution 'on every military coup (1966, 1972, 1979, 1981) has checked the systematic development of the institution'.[49] Ghana's shift to multi-party politics through the establishment of the new constitution in 1992 did not equate into an automatic fully functional Parliament with many time opposition parties boycotting parliamentary elections. Major changes were noticed after Ghana changed into a Fourth Republic where there were 'raised expectations that Ghana's parliamentary democracy would move towards a more consensus-driven politics, rather than the majoritarian zero-sum practices of the past'.[50] However this has not been the case, especially with the NPC and NDC shifting power positions, the debates in the parliament became more about the power play rather than the broader objective of debating the motion. Though the roles of the Parliament are clearly stated in the constitutions such as establishing Standing Committees as an oversight mechanism, the level of implementation is weak. The Parliament becomes a sort of passive aggressive forum where it is the most powerful who gets to have the say as his or her party is majoritarian in the Parliament. In the Ghanaian case, it also needs to be noted that it is the President who has the last say. It is clearly stated that the President has unitary powers as he is the head of the State and Government.

49   G Crawford 'Democratic decentralisation in Ghana: issues and prospects' POLIS Working Paper No 9 http://www.polis.leeds.ac.uk/assets/files/research/working-papers/wp9crawford.pdf (accessed 20 June 2017).
50   Gyimah-Boadi (n 24 above).

With regards to Mauritius, the Westminster Parliamentary model has helped Mauritius develop into a relatively strong multi-party democratic nation. Mauritius became a Republic on 12 March 1992 with a President appointed for a term of office of not less than five years by a prime minister and ratified by parliament. The Mauritian parliament is unicameral and all seats in the national legislature are elected.[51] Elected MPs may remain in office for a maximum of five years, unless parliament is dissolved by a vote of no confidence or an act of the Prime Minister. It is important to note that there is no term limit to re-election for MPs.[52] It is the elected Prime Minister who suggests the appointment of the President which is voted for or against by the Parliament. The President of the Republic of Mauritius appoints the Prime Minister and his deputy. The Prime Minister and his cabinet of ministers are accountable to parliament as the latter has the possibility of filing a 'resolution of no confidence in the Government'.[53]

The republican president appoints the leader of the opposition and the post is enshrined in the constitution. The leader of the opposition is chosen from among the members of the National Assembly whose number includes a leader who commands sufficient support in opposition to the government. It is also interesting to note that non-elected members, namely the positions of speaker and that of attorney general, may hold two offices of the legislature.[54]

Bunwaree argues that 'party representation in the post-independent Mauritian parliament has been varied. On numerous occasions the numerical dominance of the executive in the legislature, together with the often low representation of the opposition, has resulted in a highly skewed house that is unable to provoke constructive and engaging debates. This distorted aspect of parliament is exacerbated because MPs have to bear absolute party allegiance.' Therefore this limits the effectiveness of the parliaments in fully effecting their duties. The recent addition to the parliamentary debates with the advances in technology has been the live streaming of parliamentary debates which allow for greater analyses and accountability from Members of Parliaments.

However despite the lacunas in the smooth functioning of the Parliaments, it is the advent of multi-party politics that has permitted voices from both sides and several sides to be heard, discussed and debated. As Mensah argues in the case of Ghana, if the country wants to go up the ladder, it needs to considerably strengthen its parliament.

51   Mauritius Parliament http://mauritiusassembly.govmu.org/English/Pages/default.aspx (accessed 23 June 2017).
52   Indexmundi 'Political parties in Mauritius' http://www.indexmundi.com/mauritius/political_parties_and_leaders.html (accessed 23 June 2017).
53   Constitution of Mauritius, art 59.
54   As above, art 32.

4.2   The electoral monitoring bodies (EMBs)

One of the main works of EMBs is to organise transparent, free and fair elections. In as much as elections are not the only determinants of legitimate democracy, the works of EMBs are very vital to development of democracy as has been the crucial roles of these organisations in Ghana and Mauritius.

Mozaffar accordingly observes that EMBs are increasingly being seen as the fulcrum of effective electoral governance in democracies that are new.[55] To him if one considers the world wide acceptance of the movement concerning the creation of EMBs, then elections will be considered to be games of football, whereas EMBs considered the officials refereeing the games. It is their duty to ascertain whether the players notably the political parties are in the known and have accepted the rules and regulations governing the game. It is also their duty to ensure that the rules and regulations are not just accepted but must also be 'respected and observed' by all the active players in the game. If a player breaks any of the rules, the official must caution or dismiss the player for the reason that the rules must be obeyed. Thus, the legitimacy and the way the public perceives the EMB as a refereeing body in terms of its role in democracy enhancements depends on its effectiveness in terms of how its overseers observes the rules in a manner of fairness and transparency. In the case of Ghana and Mauritius even though the EMBS have been active mostly during the election period, they have been instrumental in upholding the public's faith in state institutions as a safeguard to the democratic tenets. In Ghana, EMBS have often approached the judicial systems or have been brought to courts to further strengthen their legitimacy.

5   Conclusion

Ghana and Mauritius have shown that political parties play a critical role in the democratisation process. One cannot undermine the fact that 'political parties are key to the institutionalisation and consolidation of democracy'. Each country has its own different political, historical and geographical context, but vibrant and robust political parties are crucial actors in articulating and aggregating diverse interests, providing visionary political leadership, recruiting and presenting candidates, and developing competing political and policy programmes upon which the electorate base their choices during elections'.[56]

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55   S Mozaffar 'Patterns of electoral governance in Africa's emerging democracies' (2002) 23 *International Political Science Review* 89.
56   LM Sachikonye 'Political parties and the democratization process in Zimbabwe' EISA Research Report No 16 https://www.eisa.org.za/pdf/rr16.pdf (accessed 23 June 2017).

As an anti-thesis to one party rule or authoritarian rule, democracy is unthinkable without political parties. Political parties are primarily, the medium through which the voice of the populace is heard. Politics is finally the amalgamation of different political parties and the competition between their ideologies.

To conclude, Ghana and Mauritius though having different trajectories have made consistent efforts to shape and maintain the democratic fabric of their nations. For Ghana, the task has not been easy – shifting from long years of *coup d'états* and military rule to multi party politics. For Mauritius, as compared to Ghana, it has not been such an uphill battle but had mostly to balance the increasing division between the different ethno-religious groups present in the island, each with their own sense of belongingness and ideology.

Both these countries demonstrate how important it is for a nation to have the agency of choice – of being able to let citizens/voters choose whom they would want to be represented by – whom they would want to see as their voice. Multi party politics remain a key yardstick should one measure the democratic index of country. As a last line, multiple strong political parties who should ideally have the welfare of the nation at the core of their ideology are like the different ingredients that lead to a successful dish.

Other countries should learn how these two countries' leaders voluntarily and willingly relinquish power by accepting the will of the people. To promote democracy in the different member states, leaders should try to address structural root causes that act as impediments in the implementation of democratic goals. Consider equal gendered representatives across the different tribes/ethno-religious groups so that people do not feel marginalised and left out. Create strong sacrosanct parliaments where irrespective of whether it is the President as the Head of State or the Prime Minister as the Head of government, where the legislative power remains entirely with the Parliament as the platform for the elected representatives of the people.