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OPEN VOTING IN GHANA'S PARLIAMENT: A MEANS OF PROMOTING TRANSPARENCY AND ACCOUNTABILITY AND REDUCING CORRUPTION

by

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Summary

The 1992 Constitution of Ghana has bestowed upon Parliament the authority to exercise legislative powers, executive oversight, financial control, representation, and deliberative functions of the country. Parliament is also mandated to carry out these functions in the best interest of the citizens, who are the sovereign. In executing these functions, the final decision of Parliament is generally made through voting. Currently, the method of voting in Parliament is primarily conducted through voice votes and secret ballots. However, the drawback to this voting method is that the public does not know how individual Members of Parliament (MPs) voted on various issues. Consequently, the current way of voting in Parliament does not promote transparency and accountability, making it susceptible to corruption. To address this issue, this document proposes an open system of voting (roll-call voting) for Ghana's Parliament based on global best practices. This will promote transparency and accountability by allowing the public to know how individual MPs voted on various issues. By doing so, MPs can receive praise and blame for their actions, thereby becoming accountable to their constituents. Additionally, the proposed open system of voting will reduce the chances of corruption in Parliament.



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1. Introduction

The 1992 Constitution of Ghana has vested the legislative, executive oversight, financial control, representation and deliberative functions of the state in Parliament. The same Constitution charges Parliament to exercise these functions in the best interests of the citizens who are the sovereign. The final decision of Parliament in executing these functions is generally made through voting. Currently, the voting in Parliament is done mainly through voice votes and secret ballots. Under voice votes, those in favour of an issue shout ‘Yes’ and those not in favour shout ‘No.’ The Yes wins when the ‘chorus’ from them is loudest. In secret ballots, all Members of Parliament (MPs) present cast anonymous votes for or against the issue(s) at stake. The problem here is that, in both voice votes and secret ballots, the public does not know how each MP voted. What they know is which side won and, in certain instances, by what margin, in the case of secret ballots.

This paper argues that the current voice vote and secret ballot voting method in Parliament does not promote transparency and accountability and it also breeds corruption. The paper proposes an open system of voting for Ghana’s Parliament based on global best practices to avoid the perils in the current system.

2. Lack of Open Voting: Risk to Transparency and Accountability

The current system of voting in Ghana’s Parliament does not promote transparency and accountability since the public who elect the MPs do not know how they vote individually on various issues for them to hold MPs accountable for their votes. Box 1 below contains examples of votes in Parliament that illustrate a lack of transparency and accountability and a semblance of corruption.

Box 1: Illustrative Votes in Parliament

1. *On 24th March, 2023, a secret ballot was conducted during which all six ministerial nominees of President Nana Akufo-Addo were approved by Parliament. This outcome violated a directive issued by the NDC to its MPs not to approve the nominees, arguing that the current economic situation of the country warranted a commitment by the NPP to cut costs by downsizing its government. The public was also generally disappointed—and indeed confused—by the outcome of the voting. What caused the public confusion was that since the NPP and the NDC had 137 MPs each, and on the date of the voting, two NPP MPs were absent (Daily Graphic 25 March 2023), typically, Parliament would have voted to reject the nominees. However, to the astonishment of the public, this was not the case. An open vote could have resulted in a different outcome.*
2. *On 2nd May, 2023, the House voted to approve seven (7) loans totalling \$710 million at an emergency sitting (Myjoyonline: 8th August, 2023). The question is what kind of scrutiny could have been carried out if MPs approved seven loans in an emergency*

sitting? This is another example of the Executive being able to bring its Bills to Parliament to have them approved without being subjected to the 'daylight' of transparency and thorough scrutiny.

- 3. The third case is even more serious—and indeed bizarre—to the extent that Parliamentary approval was not properly sought to allow the necessary scrutiny and due diligence to be carried out. In 2020, Frontiers Healthcare Services (FHS) Ltd was contracted by the Government of Ghana (GoG) in, ostensibly, a non-transparent arrangement to carry out COVID testing on passengers arriving and departing from Ghana. The contract, which was signed on the same day the testing began at the Airport was not properly executed (Fourth Estate, 13th October, 2023). In the end, FHS Ltd earned a colossal amount of \$87 million, while GoG earned a paltry \$7 million (GhanaWeb 13 October 2023; Myjoyonline 13 October 2023). This was a complete rip-off and smelled of corruption. Meanwhile, according to the 2022 Auditor General's Report, Ghana had about GHS 22 billion to fight the COVID-19 pandemic, but just about GHS 11 billion (50%) was used for that purpose while the rest was used for non-transparent; non-covid related expenses. It also came to light per the report that Ghana paid about \$18 million for vaccines, which were not delivered. This is another case of lapses in due diligence, proper scrutiny, transparency and accountability in the management of scarce state resources.*

3. Lack of Open Voting: Breeder of Corruption

Although MPs can undermine their party's position and directive and vote to promote the public interest, as they deem appropriate, they can also do so to promote their selfish interests when they know that their votes are concealed from the public view. Since MPs' votes are not openly public, they know they would not be held accountable for their votes and can, therefore, vote as they choose with impunity. In this circumstance, there is a real possibility of some Parliamentarians being bribed to vote for or against an issue. The lack of open voting in Parliament is, therefore, a recipe for corruption.

For example, when issues like the appointment of key public figures and contracts are voted upon, some Parliamentarians could be influenced through monetary and/or material inducements to vote in a particular way with no accountability. Also, the lack of open voting prevents proper scrutiny and due diligence from Parliamentarians. A lack of transparency can make it easy for dubious contracts to go through the vetting process without proper parliamentary scrutiny. For instance, scholars and civil society groups have bemoaned the lack of transparency in the award of petroleum contracts in Ghana. They argue that contract opacity has made it possible for all sorts of contracts to pass without scrutiny from the public (Kumah-Abiwu, 2017; Van Gyampo, 2016). This problem must be

addressed as a matter of urgency to check corruption in Parliament. Regrettably, successive governments have not addressed the issue of transparency but have rather continued to negotiate contracts with interested parties in secrecy without disclosing adequate information to the public, while taking place in the plain sight of a pliable Parliament.

It is a fact that corruption has been growing in Ghana and the lack of transparency and accountability in many parts of the

Ghanaian society, including Parliament, is a contributory factor. Table 1 below provides evidence that Ghana's score and ranking on the Corruption Perception Index (CPI) worsened between 2013 and 2022. The CPI¹ score declined from 48 in 2014 to 43 in 2022, indicating a deterioration in the country's corruption perception over the period. The rankings also show that Ghana's position as the 63rd least corrupt country in the world as of 2013 has worsened; as of 2022, Ghana was the 72nd least corrupt country.

Table 1: Ghana's Corruption Perception Index Scores between 2013 and 2022

Year	Score	Rank
2013	46/100	63/177
2014	48/100	61/175
2015	47/100	56/168
2016	43/100	70/176
2017	40/100	81/180
2018	41/100	78/180
2019	41/100	80/180
2020	43/100	75/180
2021	43/100	73/180
2022	43/100	72/180

Source: Compiled from Transparency International websites.

Corruption in Parliament is a real threat to a developing country like Ghana in many regards. It can lead to the award of public contracts to unqualified persons and the provision of shoddy products, among other things. Corruption is costly to a country's development efforts. It also impedes the delivery of public goods to the citizenry. In 2013, the Public Procurement Authority (PPA) reported that procurement alone constituted over 50% of the Ghana Government budget. It is disturbing how

corruption in public procurement causes the country to lose substantial sums of money. Although the PPA did not provide actual figures to support its claim regarding losses through procurement-related corruption, it is significant to note that the Authority quoted a World Bank report where corruption was said to cost Africa nearly 25% of its Gross Domestic Product (GDP). Going by this, one can imagine how much Ghana loses through corruption in public procurement alone. Meanwhile, there has

¹ The CPI uses a score of 0 – 100 with 0 being the most corrupt and 100 being the least corrupt country.

been a surge in military coups in the West African sub-region, where the coup leaders have cited corruption as a major reason for their actions. This, therefore, should be of concern to all Ghanaians and all those who care about the stability of Ghana's democracy, given the strong correlation between corruption and coups d'état.

4. The Case for an Open Voting System for Ghana's Parliament

To cure the defects of non-open voting, many countries have adopted open voting that allows the public to know how individual MPs vote on various issues so as to promote transparency and accountability and reduce corruption. These countries include: Argentina, Barbados, Belgium, Mexico, Netherlands, Switzerland, the UK, Uruguay, and the USA (*IPU 1986; Kistner 2006*). In the Parliaments of Argentina, Belgium, Mexico and Switzerland, in particular, all final votes on matters before them must be taken by roll-call voting (RCV) which keeps records of how each MP voted (*Ainsley et al., 2020; Hug, 2010*). Again, in the Parliaments of Barbados, Netherlands, New Zealand and Uruguay, just one member can request that the voting record of all members on a matter before it is made public (*Ainsley et al. 2020*).

It has to be pointed out that Ghana is a member of the Inter-Parliamentary Union (IPU) and the Open Government Partnership (OGP). These organisations require that their members promote transparency and accountability. Thus, making MPs vote public would make Ghana comply with the international conventions it has signed.

The adoption of open voting (roll-call voting) in Ghana's Parliament would promote transparency and accountability and help curtail corruption. To this end, Parliament should adopt roll-call voting, which provides records on how individual MPs vote on various issues. In this way, MPs can receive praise or blame, and also be accountable, for their actions.

Making individual MP's votes public would bring about the following specific benefits, among others:

1. It would enhance Parliament's transparency and accountability and boost public confidence in Parliament (*Hug 2010; Roberts 2007*).
2. It would help reduce corruption in Ghana and thereby improve the country's CPI rankings, consequently improving the quality of its democracy and advancing its political stability.
3. It would make Parliament comply with the various international pacts it is a party to, which require certain disclosures, including making individual MPs' votes public (*Hug, 2010*).
4. It would help Parliament to effectively play its oversight role. A strong Parliament would cause the Executive to sit up and, in so doing, avoid presenting weak and unmeritorious Bills to Parliament (*Harutyunyan 2021; Hug 2010; Kistner 2006*).
5. It would provide a solid campaign platform for MPs to sell themselves during elections. That is, they would have evidence to show their constituents how they voted on issues of relevance to them

and that, given another opportunity, they would do more.

6. It would help reduce the incidence of fake news and disinformation (i.e. making MPs' votes public would reduce mischievous speculations associated with how individual MPs voted).

5. Conclusion

The lack of open voting in Ghana's Parliament is inimical to transparency and accountability and breeds corruption. This is because Parliamentarians can hide behind voice and secrete voting to avoid accountability, while being prone to bribery to vote for or against Executive Bills, contracts, and appointments. Lack of transparency and accountability in voting must have contributed to Ghana's worsening corruption ranking. The deterioration in Ghana's corruption scores is, however, dangerous given the recent resurgence of political instability through

military coups d'état in the West African sub-region and the fact that the coup leaders cite corruption to justify their actions. Ensuring open voting in Parliament is, therefore, an urgent need to help prevent social and political instability.

To ensure transparency and public accountability and also to reduce corruption, the IEA is proposing that Parliament changes its current practice of voice and secret voting to roll-call voting where the voting records of each MP can be made available to the public (*Harutyunyan 2021; Inter-Parliamentary Union (IPU) 1986*). As the representatives of the people who are the sovereign per Ghana's Constitution, Parliament is expected to work towards the best interests of Ghanaians. Parliament does its job best when it scrutinizes, questions and investigates the Executive with respect to its bills, contracts, and appointments in a transparent and accountable manner and without any semblance of monetary or material inducement.

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