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JUDICIAL POWER AND CONSOLIDATION OF DEMOCRACY: THE CASE OF GHANA’S ATUGUBA’S COURT  
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Abstract  
A special court chaired by Justice William Atuguba to adjudicate the 2012 presidential electoral dispute handed a landmark verdict to settle an electoral dispute between the New Patriotic Party, the National Democratic Party and its presidential candidate, and the Electoral Commission on 29th August, 2013. The verdict was preceded by contempt charges brought against Sammy Awuku, Ken Korankye, Stephen Atubiga, Mr. Kwadwo Owusu Afriyie, Kwaku Boahen, and Hopeson Adorye for prejudicial and contemptuous comments.  

Using the concept of judicial power, this paper examines the impact of the contempt charges on the aftermath of the court’s verdict. The paper finds that the post-verdict peace and tranquility and consolidation of the young democracy witnessed in the country were partly the result of the exercise of judicial power through the contempt charges. The contempt charges that preceded the verdict quietened political commentators and party activists who could have engineered violence and instability.  

Keywords: Judicial Power; Democratic Consolidation; Rule of Law, Electoral Dispute; Ghana’s Atuguba’s Court.  

Introduction  
On 29th August, 2013, all activities in Ghana were brought to a standstill in the early hours of the day and the eyes of everyone locally and within the international community were fixated on the Supreme Court as the country awaited the decision of a special court constituted by the Chief Justice Georgina T. Wood to adjudicate an electoral dispute on the 2012 presidential election result. The setting up of the special court was necessitated by a petition brought by the presidential candidate – Nana Addo Dankwa Akufo Addo, the vice presidential candidate – Dr. Mahamadu Bawumia, and the chairman – Mr. Jake Obetsebi Lamptey of the New Patriotic Party (NPP) against the Electoral Commission (EC) and the presidential candidate of the National Democratic Congress (NDC), Mr. John Mahama as the first and second respondents. The NDC joined the case as the third respondent subsequently.  

The petitioners on December 28, 2013 prayed the Supreme Court to nullify the declaration of John Mahama as the winner of the 2012 presidential election and the President elect of Ghana by the EC (Daily Graphic, 29th August, 2013). The Special Court was manned by nine Justices of the Supreme Court: Mr. Justice Paul Baffoe-Bonnie, Mr. Justice Julius Ansah, Mr. Justice N. S. Gbadegbe, Mr. Justice Jones Dotse, Mr. Justice Annin Yeboah, Mrs. Justice Rose Owusu, Mrs. Justice Sophia Adinyira, Mrs. Justice Vida Akoto – Bamfo and chaired by Mr. Justice William Atuguba. The proceedings of the case were telecast live in contradiction to the tradition of the Supreme Court. After a long wait, the final decision of the Court was read by His Lordship Mr. Justice William Atuguba at around 1:30 p.m. on August 29th, 2013. Prior to the rendering of the decision, there was high political tension and various threats were issued directly and indirectly by the supporters of the two parties, which created the impression that the country may be thrown into abyss if the decision did not go in favor of the NPP or the NDC. The media reported of airlines being fully booked because several people including top governmental officials were leaving the country for fear of a possible post-verdict violence and instability (Daily Graphic, 29th August, 2013). The political tension was further worsened by a routine security message by the US Embassy to its citizens on possible post-verdict violence that was reported in the media. The US Embassy cautioned her citizens of possible post-verdict violence and advised them to “maintain a high level of vigilance and take appropriate steps to increase their security/safety during this politically-sensitive period” (Nonor, 2013). The Embassy further advised her citizens to avoid going to major places in the city areas such as the Supreme Court, the offices of political parties, all political activities including political rallies and places of institutions and organizations affiliated to elections. The routine security message was hyped by the media and it created more tension in the country and compelled the government to issue a statement to assure Ghanaians of post-petition verdict safety (Myjoyonline.com 19th August, 2013). Fortunately, the country was calm and peaceful after the rendering of the final verdict of the 2012 presidential elections’ electoral dispute by the Atuguba’s Court.  

Interestingly, the final verdict of the court was preceded by a massive exercise of judicial power to cleanse the Ghanaian public against reckless and inappropriate comments through contempt charges brought against Sammy Awuku, Ken Korankye, Stephen Atubiga, Mr. Kwadwo Owusu-Afriyie, Kwaku Boahen, and Hopeson Adorye. The individuals were summoned to Court for comments made against the Justices and the Court that were deemed inappropriate, contemptuous or prejudicial (Adjabeng, 2013; Asare, 2013; Duodu, 2013; Gomba, 2013; Gyimah-Boadi, 2013; Smith-Asante, 2013; Winston, 2013). Mr. Ken Korankye, a member of the NPP and an editor of the ‘Daily Searchlight’ was jailed ten days while Stephen Atubiga, a member of the NDC was jailed three days by the Justices. Mr. Kwadwo Owusu Afriyie, the national secretary of the NPP, and Hopeson Adorye were fined five thousand Ghana Cedis and two thousand Ghana Cedis respectively and bonded from making any inappropriate or contemptuous comment on the case for six
months. Mr. Sammy Awuku and Kwaku Boahen, Ashanti Region’s youth organizer of the NDC were pardoned because their comments were made before the embargo of the Supreme Court on making prejudicial comments on the case before the Court (Winston, 2013).

The exercise of judicial power through the contempt charges raises important academic analytical concerns on how the contempt charges affected the aftermath of the final decision of the court and the consolidation of democracy in Ghana. Several commentators and newspapers have commented on the impact of the contempt cases on the post-verdict political situation of Ghana (Ghana Bar Association, 2013). However, no detailed academic research has been done on this particular issue. Therefore, the objective of this study is two folds (1) to understand why the Atuguba’s Court exercised the judicial power prior to its verdict on the 2012 presidential elections’ electoral dispute, and (2) to critically examine the impact of the contempt cases on the aftermath of the court’s verdict and the consolidation of the young democracy of Ghana. Specifically, the ultimate goal of this study is to provide an academic critique and explanation for the exercise of the judicial power by the Atuguba’s Court during the hearings of the 2012 electoral dispute and its larger implication on the post-verdict political stability as well as the consolidation of democracy in Ghana.

**Background**

As has become the norm since the inception of the fourth Republican Constitution of Ghana, on December 7th every four years, long queues are witnessed as Ghanaians go to the polls to exercise their right under Article 42 of the 1992 Constitution to cast their votes in the parliamentary and presidential elections. However, the exercise was different in the voting of the 2012 elections because biometric verification of voter’s identity was introduced for the first time in the history of voting in Ghana. Consequently, voting was extended to the next day at certain polling stations nationwide as a result of problems with some of the biometric machines. The introduction of the verification machine brought political tension in the period prior to the voting day, which culminated in the adoption of governing rules for the election. It was generally agreed upon by all the political parties that all voters’ identity should be verified before they can exercise their rights to vote. Unfortunately, with the breakdown of certain biometric machines, exceptions were made to the governing rule of the elections at certain polling stations to allow some voters to vote without biometric verifications.

At the end of the voting and collation of voting results, the leadership of the NPP requested the Electoral Commissioner, Dr. Kwadwo Afari-Gyan to suspend the declaration of the election results because of certain irregularities that could impact the final results of the presidential election. However, Dr. Afari-Gyan acting on the powers conferred on him as the EC Chairman by 1992 Constitution under Article 50, declared President John Mahama, as the winner of the presidential elections with 50.7 per cent of the valid vote cast, Nana Addo Dankwa Akufo Addo 47.7 percent, and the remaining percentage shared by the other presidential candidates. The declaration of the result was preceded by a series of meetings with EC officials, officials of the political parties and the members of the Peace Council but the Chairman of the EC argued that the leaders of the NPP were not able to prove why the declaration of the winner of the presidential election should be suspended. Dr. Afari-Gyan subsequently advised the leadership of the NPP to seek court action against the EC if it was dissatisfied with the declaration of the presidential election result and the winner of the election.

The presidential candidate, his running mate and the chairman of the NPP subsequently filed a petition with Registry of the Supreme Court to challenge the declaration of President Mahama as the winner of the 2012 presidential election. The petitioners alleged that there were infractions in 11,138 polling stations covering over-voting, voting without biometric verification, some presiding officers failing to sign pink sheets, several polling stations with same serial numbers, duplicate pink sheets serial numbers, and unknown polling stations. They further alleged that there were electoral malpractices and anomalies which “were nothing but a deliberate, well-calculated and executed ploy or a contrivance on the part of the EC and President Mahama with the ultimate objective of unlawfully assisting President Mahama to win the 2012 December Presidential Elections” (Supreme Court Judgment, 2013, 3). Therefore, they pleaded with the Supreme Court to annul 4.3 million votes in the polling stations where the alleged irregularities occurred and declare Nana Akufo Addo as the winner of the election with 59.69 per cent valid vote cast as against President Mahama’s 39.1 per cent according to their own calculations.

After several sittings on the case, the Justices identified two issues for trial as follows: (1) whether or not there were statutory violations, omissions, irregularities and malpractices in the conduct of the elections held on December 7 and 8, 2013; (2) whether or not the said violations, omissions, irregularities and malpractices affected the outcome of the presidential election results. In this regard, the core grounds of the petition brought by the NPP were refined as follows: “over-voting, voting without biometric verification, absence of the signature of a presiding officer, duplicate serial numbers i.e. occurrence of the same serial number on pink sheets for two different polling stations, duplicate polling station codes, i.e. occurrence of different results/pink sheets for polling stations with the same polling station codes, and unknown polling stations i.e. results recorded for polling stations which are not part of the list of 26,002 polling stations provided by the EC for the election” (Supreme Court Judgment, 2013, 3).

**The Verdict of the Atuguba’s Court**

The decision of the court was categorized based on the grounds accepted for the petition hearing by the courts and the parties. On the issues of over-voting, the court dismissed the claim on a 5-4 majority decision. Justice Atuguba (Presiding), Justice Baffoe – Bonnie, Justice Adinyira (Mrs), Justice Gbadegbe and Justice Akoto-Bamfo (Mrs) voted against the claim on grounds that the petitioners were unable to establish allegation of over-voting, “except to the limited extent admitted by the chairman of the Electoral Commission”, which according to them cannot impact much on the declared result. On the other hand, Justice Ansah, Justice Owusu (Ms), Justice Ann-Yeboah, and Justice Doste voted for the claim base on the decision that “the evidence provided to the court on over-voting by the petitioners proved their case on the preponderance of evidence. Therefore, they upheld the definition of over-voting by the second petitioner because the outcome of the results of the election was affected greatly by the irregularities involving over-voting. They opined
that the weight of over-voting affected the outcome of the results so much that they have no option other than to annul the votes resulting from the irregularities.

On the claim of voting without biometric verification, the Justices voted 5 – 4 in favour of the respondents. Justice Atuguba, Justice Dotse, Justice Adinyira (Mrs), Justice Akoto-Bamfo (Mrs), and Justice Gbadegbe voted against the claim on grounds that the pink sheet which the petitioners throughout the trial referred to as constituting the primary evidence that supported their case, contained errors of omission such as proxy votes, blanks, repetition, and wrong grammatical rendition etc. They further stated that the second petitioner, Dr. Bawumia, admitted under cross examination that the pink sheet alone cannot supply answer to issues that arises in all situations. Justice Adinyira opined that she found the reasons presented by Dr. Afari-Gyan on the anomalies on the pink sheets due errors of the polling agents credible. She also stated that the postponement of elections to the next day because of the failure of the biometric verification devices support the claim that all who voted went through biometric verification. On the contrary, Justice Ansah, Justice Owusu (Ms), Justice Anin-Yeboah, and Justice Doste voted in favour of the claim arguing that “the pink sheet or its equivalent in other jurisdictions has been judicially regarded as the primary record of an election”. However, “… no one has given it a conclusive effect. Neither the constitution nor any other statutes, substantive or subsidiary has accorded the pink sheet any particular status”. By the minority decision, it is clear that they were unable to agree with the submissions of the respondents that biometric verification could not be limited to only finger prints.

On the claim of absence of the signature of a presiding officer, the Justices voted 5 – 4 in favour of the respondents. The majority side - Justice Atuguba, Justice Dotse, Justice Adinyira (Mrs), Justice Akoto-Bamfo (Mrs), and Justice Gbadegbe - rejected the claim of the petitioners majority on grounds that it would be unfair and fraudulent for the petitioners to authenticate the results through their polling agents’ signatures and turn around to seek to invalidate on the purely technical ground of absence of the presiding officers’ signature. The Justices that rendered the dissenting opinion held that the legal inference was that failure by the presiding officer to sign the declaration form was a clear irregularity which cannot be excused or “waived on the grounds that the pressure of the time, prevailing conditions etc., did not allow or permit them to sign the forms and thereby comply with the constitutional provision” or duty as stated in Article 49. They further opined that, “the duty cast on the presiding officers to sign the declaration was couched in mandatory terms and deserves obedience and not meant to be disobeyed”.

The claim of duplicate serial numbers that is occurrence of the same serial number on pink sheets for two different polling stations was unanimously dismissed. All nine Justices held that there is no constitutional or any other statutory backing for the serial numbers and they were created by the printers and randomly assigned to the constituencies and onward to the polling stations. The claim on duplicate polling station codes - occurrence of different results/pink sheets for polling stations with the same polling station codes – was also unanimously dismissed. They maintained that duplicate polling station codes occurred because of the splitting of a polling station with large number of voters and/ or a polling station used both for the special voting and the regular voting. This according to the panel of judges does not constitute any statutory omission whatsoever. Lastly the Justices also unanimously dismissed unknown polling stations that is results recorded for polling stations, which were not part of the list of 26,002 polling stations provided by the 2nd respondent for the election on the basis that in so far as the petitioners sent polling agents to the said polling stations, they cannot say they are unknown with regards to unknown polling stations. This is because the respondents presented ample evidence that the petitioners were fully aware of the existence of the 28 polling stations they claimed were unknown to them and in fact sent polling agents to those electoral areas.

Judicial Power and Consolidation of Democracy

Judicial power is the power vested in the courts to offer authoritative interpretations of constitutional provisions and other laws of a jurisdiction and also to render actions of governments, groups and individuals unconstitutional if found to be inconsistent with the provisions of the constitution and the other laws (Barnett, 2004; Law, 2009). Judicial power stems from the constitutional provision for judicial review by courts to ensure compliance with the laws of the land. The power enables the courts to keep the government and the legislature within their constitutional limits by pointing out actions that are contradictory to the powers granted them in the constitution. Specifically, the interpretation and application of the laws enables the courts to identify the limits of powers granted to the executive and legislature branches of government to ensure compliance with the law (Fallon, 2009). Therefore, the courts are able to nullify actions of the legislature and executive considered unconstitutional.

In addition to their nullification powers, the court can also command other branches of government to comply with the interpretation of the constitution by the judiciary (Barnett, 2004). For instance, in the famous Brown v Board of Education case, the US Supreme Court mandated an end to legal segregation in public schools and facilities and all the branches and institutions of government complied with the rulings (Kluger, 2004). The Court through that ruling made it illegal for any US citizen - irrespective of race or color - to be discriminated against in the choice of schools and public facilities he/she intends to patronize. The ability of the courts to use the judicial power is predestined on the belief in the expertise of the courts to exercise right judgment to protect the democratic discourse (Ellickson, 1994; Dworkin, 1985). The public have faith in the expertise of the courts to offer decisions that defends the shared values and interest beneficial to the public. Therefore, the public accepts decisions offered by the courts as binding with the hope that obeying the dictates of the courts will bring harmony in society. The obedience is supposed to promote public interest because the courts are considered as the epitome of public reason (Rawls, 1996).

In addition, the courts are seen as performing monitoring function by exposing rule breakers and publicizing misconduct through their adjudication, which puts pressure on lawbreakers to reform to avoid disgrace (Greif, 2006). Therefore, the respect of the decisions and the judicial power exercised by the courts promotes sanity and good conduct on the part of citizens. At the same time, the actions of court can stipulate the manner of behavior for the public. When a court rules against certain behavior, it often sets a tone for accepted behavior that prevents punishment and also attract public appraisal. In other words, the opinion expressed by the court often shapes the beliefs of the people by portraying...
accepted behavior that will prevent judicial punishment. The public naturally obeys the decisions of the courts because of the trust in the expertise of the court to offer the truth and not shape their beliefs negatively (Lupia and McCubbins, 1998). In that sense, the judicial power of the courts is legitimized in the mindset of the public because there is the belief that the exercise of that power helps to promote harmony and maintain peace and security. Law breakers and actions that seek to threaten public peace are avoided because of the fear imposed in the public on possible punishment for disturbing public peace. This is achieved when the courts shape the behavior of the public on accepted practices and behavior by punishing people found guilty of certain actions considered ultra-vires and likely to disturb the peace and harmony of society.

The courts have also in many instances, used their exercise of judicial power to promote continuity in governance and prevent actions that can cause stalemate or instability in a country. For instance, The US Supreme Court in 2000 stepped in to end the electoral dispute between the presidential candidates of the Republican Party and that of the Democratic Party that was creating stalemate in the transition from the Clinton’s administration to a new administration. Two decisions were rendered by the Court between 4th December and 12th December, 2000 to end the stalemate and bring order to the process of governance in the US. The first decision rendered on 4th December 2000, was between Bush v Palm Beach Canvassing Board, 531 US 70 (2000) election and it directed the Florida Supreme Court to offer details on its decision of a case brought by the Bush campaign on extension of the time to certify the results of the election to 26th November, 2000. This was necessitated by the closeness of the votes between Al Gore and Bush in Florida that ushered in an automatic machine recount as required by the laws of the state. The votes of Florida was important because neither of the two candidates had the required electoral majority votes to win the presidency but Al Gore led the popular votes nationally while Bush led in Florida. However, the Bush’s lead of about 1,784 in Florida votes dwindled after the machine recount. Consequently, the Al Gore campaign requested manual recount of the votes in four counties but the request was denied by the state’s chief election officer who was a Republican.

The Al Gore campaign took the issue to the Florida Supreme Court and the Court overruled the decision of the chief election officers and order for a recount of the votes. This prompted the Bush campaign to take the issue to the US Supreme Court on grounds that the Florida Supreme Court has altered the electoral laws in the middle of an election. Meanwhile, the Florida Supreme Court ordered a statewide manual recount of votes on 8th December on grounds that the partial recount in some counties has changed the initial votes recorded for the candidates. Subsequently, the Bush campaign went back to the US Supreme Court and the US Supreme Court on 12th December, 2000 by 5-4 majority ordered for an end to the recount in Florida and Bush who was then leading the popular votes was declared the winner of the electoral votes of Florida and President elect of US. The exercise of the judicial power of the US Supreme Court ended the electoral dispute that could have caused stalemate in the transitional process and the governance of the US. Thus, the exercise of the judicial power by the US Supreme Court ensured continuity in governance and consolidated the democracy of the US.

Judicial Power and the Atuguba’s Court

The judicial power conferred on the judges of the Republic of Ghana is stipulated in Article 125 of the Constitution (1992 Constitution of Ghana). The Supreme Court of Ghana and by extension the other courts is vested with the power to decide on the constitutionality of actions taken by the other arms of government and to promote the rule of law in the country. In addition, Article 64 (1, 2 and 3) of the 1992 Constitution grants citizens the chance to petition the Supreme Court to challenge the results of the presidential election. Additionally, the Supreme Court Amendment Rules, 2012, (CI 74) provides for the modalities for addressing a possible petition against the legitimacy of the elected President (Daily Graphic, 29th August, 2013).

Therefore, the Chief Justice of Ghana constituted a special court to handle the electoral dispute that was brought by the presidential candidates and chairman of the NPP on alleged electoral disputes resulting from the 2012 presidential election results. The Nine Member Special Court chaired by Justice Atuguba was to adjudicate on the petition brought by the 2012 presidential candidate of the NPP, the Vice and the Chair on allegation that there were electoral malpractices in the presidential results. The Court started the hearings of the case on 16th April, 2013 when the substantive cases were presented by the parties to the electoral dispute and offered its final verdict on 29th August, 2013.

The hearing which was televised live witnessed a lot of media attention and political commentaries, some of which were unpleasant and a recipe for political instability. There were a lot of prejudicial and contemptuous remarks in the media that created panic in the country (Daily Graphic, 29th August, 2013). For instance, some pro NPP political activists hinted that the country will be destabilized if the result of the presidential elections announced by the electoral commission was not annulled and the presidential candidate of the NPP, Nana Akuffo Addo declared the rightful winner of the 2012 presidential elections. On the contrary, pro NDC political commentators also warned of possible instability if President Mahama was not maintained as the winner of the election. The nature of comments from political and media commentators created a political tension in the country and some privileged ones who had the means left the country to avoid a possible post-verdict violence. In the midst of the political tension, the Atuguba’s Court issued several summonses to people who were alleged to have made prejudicial and contemptuous comments to legally cleanse and seal the mouths of party and social commentators and activists to avoid a state of anarchy after the verdict of the petition (Daily Graphic, 29th August, 2013).

Discussion and Conclusion

Post-election disputes can lead to instabilities and destruction of the democratic processes of many countries. However, the courts and judges in many jurisdictions have used their judicial power to prevent instabilities and

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1 For details on the opinion of the Court, refer to Bush v Gore 531 US (2000).
consolidate the democracies. The analysis above examines the post electoral disputes between the officials of the NPP and those of the NDC who were involved in a fierce post-election dispute. The presidential candidates and the chairman of the NPP lodged a petition with the Supreme Court because they were not satisfied with the declaration of the candidate of the NDC, John Mahama as the winner of the 2012 presidential election by the Electoral Commission.

The nature of discussions in the media and social media created tension in the country that had the tendency of creating post-verdict anarchy in the country. The supporters of the NPP were made to believe that the EC had fraudulently declared John Mahama as the winner of 2012 presidential elections. Additionally, the supporters were made to believe that the special court adjudicating the case had the power to overturn the decision of the EC – which was considered the only fair judgment – but their decision could be influenced by the Mahama’s ruling government. Therefore, the supporters were highly spirited to reject any verdict that did not overturn the declaration of Mahama as the winner of the election and as the same time declare Nana Akuffo Addo as the rightful winner.

The supporters of the NDC were also made to understand that Mahama has been declared the rightful winner of the election and the NPP were worried because their candidate lost the election but wants to be President by all means. Therefore, they were also not going to accept any verdict than an affirmation of President Mahama as the rightful winner of the 2012 presidential election as declared by the EC. Both parties and the social and media commentators made prejudicial and contemptuous comments that created tension and panic in the country and also set the stage for a possible post-election instability in Ghana. Some of the commentators of the parties openly advised their supporters to reject the verdict of the Atuguba’s Court and resort to violence if their candidate was not declared as the lawful winner of the 2012 presidential elections.

The extent of tension and panic created in the country compelled some residents to leave the country while others bought food items and goods to live on for several days in case of post-verdict instability. The Police administration and the Peace Council were called upon by concerned citizens to intervene to maintain peace and stability. Consequently, the police deployed several personnel to the streets and also mounted several barriers and check points throughout the country. The Peace Council also had several meetings with the leaders of the political parties on the need to accept the verdict of the Atuguba’s court in good faith irrespective of the nature of the verdict. Chiefs and prominent members of the country called on the parties to accept the verdict and advised their supporters against post-verdict instability.

The situation placed a great burden on the shoulders of the Atuguba’s Court which was adjudicating the election petition. Therefore, the Court decided to invoke its constitutional powers to bring the country to order and also prepare the stage for a possible post-verdict stability. Using its judicial powers, the Atuguba’s Court issued an order against comments that could be considered contemptuous and prejudicial to be avoided since such people could be punished with contempt charges. Subsequently, contempt charges were brought against supporters of the political parties and media personnel who made comments that were considered prejudicial or contemptuous. As indicated above, six culprits including Sammy Awuku, Ken Korankye, Stephen Atubiga, Mr. Kwadwo Owusu-Afriyie, Kwaku Boahen, and Hopeson Adorye were summoned by the Court on contempt charges. Ken Korankye and Stephen Atubiga were punished with jail terms but Mr. Kwadwo Afriyie and Hopeson Adorye managed to escape the jail term with a monetary fine of five thousand and two thousand Ghana cedis respectively as well as an injunction not to make any comments on the case for six months. Kwaku Boahen and Sammy Awuku were set free by the Court because the Court were convinced that their comments were made before it issued the order against making prejudicial and contemptuous statements.

The contempt charges issued by the Atuguba’s Court created fear and sealed the mouths of party activists against making any statement that could incite violence and create instability in Ghana. This set the stage for post-verdict peace as party activists and media personnel who could have incited violence were afraid of being summoned on contempt charges. Subsequently, the verdict of the Atuguba’s Court was accepted in good faith by all sections of the Ghanaian community and those who disagreed could not use their disagreements to incite violence and instability. This study argues that the use of the judicial power by the Atuguba’s Court prior to presenting its final verdict on the 2012 presidential election dispute helped to maintain peace to the surprise of many in the international community who predicted that Ghana was going into abyss after the verdict.

The exercise of judicial power helped to consolidate the young democracy of Ghana, which goes to supplement studies that have shown that the exercise of judicial power can be a tool to consolidate democracies.

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