

Democratic decentralisation in Ghana: issues  
and prospects

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## **1. Introduction**

This paper represents preliminary work towards a more substantial research project investigating the outcomes of decentralisation in Ghana, focusing on the relationship between democratic decentralisation and pro-poor development.

### *1.1 Introduction to research project*

Decentralisation has become an increasingly widespread and significant dimension of political and administrative reform in many developing countries since the late 1980s, supported by a variety of actors ranging from international development agencies to national governments to non-governmental and grassroots organisations, though doubtless for different purposes. In Africa, decentralisation is implemented in various forms by governments across the continent, inclusive of Ethiopia, South Africa, Uganda, Namibia, Nigeria and so on. Indeed, in West Africa it is difficult to find a country that does *not* have a decentralisation programme.

Decentralisation is presumed to have a number of benefits, including positive outcomes in both democratic and developmental terms. It is assumed that democracy will be deepened by the extension of political representation to the local level, with democratic processes strengthened through enhanced political participation by local civil society

actors. Relatedly, it is assumed that benefits in socio-economic development will accrue through local government being more responsive and more accountable to citizens' needs and desires. These two benefits are interlinked in that local-level representation and participation is believed to lead to development planning processes and the delivery of public services that are relevant to the local context. Yet, to what extent are such anticipated benefits actually realised? Evidence thus far remains limited, with Ribot (2001: 3) informing us that "most of the literature on decentralization focuses more on expectations and discourses than on practice and outcomes".

This paper examines decentralisation in Ghana. It represents the initial stage of a research project that aims to investigate whether decentralisation has led to a strengthening of democratic processes and to pro-poor developmental outcomes. Such judgements depend on empirical evidence, of course, which has yet to be gathered. For now, this preliminary work provides, firstly, background information on decentralisation in Ghana, and, secondly, some initial discussion of the democratic nature of current reforms, with the intention of establishing a working hypothesis. A number of democratic deficits are identified in current decentralisation reforms in Ghana, and, utilising Ribot's analytical framework, conclusions are drawn that decentralisation has not succeeded in "entrust[ing] downwardly *accountable* representative *actors* with significant domains of discretionary *power*" (2001: 3, emphasis in original). For Ribot, writing in general rather than in country-specific terms, this implies that decentralisation reforms "do not appear to be structured in ways likely to deliver the presumed benefits" (2001: 3). Thus the preliminary findings concerning the limits to democratic decentralisation in Ghana suggest the hypothesis that such constraints on political decentralisation have negative implications for pro-poor outcomes. It is intended to investigate further the relationship between democratic decentralisation and developmental outcomes through fieldwork in Ghana.

### *1.2 Introduction to topic*

Preceding the substantive discussion, definitions are required of decentralisation, inclusive of its three main forms, administrative, fiscal and political decentralisation, and

of democracy, plus a brief outline of the relationship between the different forms of decentralisation and democracy.

Decentralisation is defined as “any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy” (Ribot 2001: v., citing Mawhood 1983 and Smith 1985). Three main types of decentralisation are commonly identified:

- *administrative decentralisation* or *deconcentration* i.e. the re-location of branches of the central state to local areas, entailing a transfer of powers to locally-based officials who remain part of, and upwardly accountable to, central government ministries and agencies;
- *Fiscal decentralisation* i.e. the transfer of fiscal resources and revenue-generating powers, inclusive of authority over budgets and financial decisions, to either deconcentrated officials and/or central government appointees or to elected politicians;<sup>1</sup>
- *Political decentralisation* or *democratic decentralisation* or *devolution* (of power) i.e. the transfer of powers and resources to sub-national authorities which are “(a) largely or wholly independent of the central government and (b) democratically elected” (Manor 1995: 81-2).<sup>2</sup>

Democracy is a much contested concept, yet Beetham and Boyle (1995: 1) succinctly identify the two core democratic principles as *popular control* over collective decision-making and *political equality* in the exercise of that control. Clearly these two principles are realised most effectively in small groups or associations, that is where direct popular control enables each person to speak and vote. In larger associations, including the nation state, popular control must be exercised more indirectly through the selection of representatives, but with questions arising as regards how effective that control is and

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<sup>1</sup> There is some reluctance by Ribot (2001: v.) to acknowledge fiscal decentralisation as a separate form of decentralisation as it entails a cross-cutting element of both deconcentration and political decentralisation.

<sup>2</sup> Ribot (2001: v.) does not use the term ‘devolution’ in his review, defining it as a general term to describe “any transfer from central government to any non-central government body”. This paper follows Manor (1995) in defining devolution more narrowly as a transfer of powers from the central state to local elected governments.

how equally distributed it is among different groups of citizens (Beetham et al. 2002: 14). A further point stemming from this definition is that “democratisation is not an all-or-nothing affair”, rather it is a matter of degree, with associations realising the principles of popular control and political equality to a greater or lesser extent (Beetham and Boyle 1995: 2). In this respect, local government has the potential to enhance the realisation of democratic principles, given that the selection of representatives and decision-making structures are on a smaller scale, more open to influence and effective participation. The question remains, nevertheless, whether decentralisation will have positive outcomes for democratisation in a particular country.

Clearly any positive linkage between decentralisation and democratisation depends on the type of decentralisation. Deconcentration has no connection to democracy, undertaken by democratic and non-democratic governments alike, for instance by a military regime in Ghana in 1974. Indeed, under the guise of administrative efficiency, deconcentration can be a means by which central government seeks to strengthen its control over local areas through increased presence at district level, as well as a means for a ruling party to mobilise political support and disburse political patronage. Manor (1995: 81) describes deconcentration as often a means to provide “greater penetration into and control over lower-level arenas and civil society”. Similarly, fiscal decentralisation has no democratic connotations where deconcentrated officials and/or unelected appointees are involved, though it can have some democratic implications where elected local politicians are given control over greater financial resources. In contrast, devolution entails *democratic* decentralisation by definition, with the potential to enhance local democracy through the transfer of responsibilities and resources to local-level democratic institutions, accountable to their electorates.

This paper is in four parts. Following this brief introduction, the second part outlines the process of decentralisation in Ghana, its history, the legal framework, sub-national government structures, and the powers and functions of District Assemblies. The third part undertakes a desk-based enquiry into the practice of decentralisation in Ghana and identifies current democratic deficits. Finally, the conclusion highlights the constraints on

political decentralisation in Ghana and the inability to meet Ribot's criteria of democratic decentralisation, and poses questions for further research into the implications for developmental outcomes.

## **2. Decentralisation in Ghana**

### ***2.1 History***

The history of decentralisation in Ghana is traced back by Ayee (2000: 48) to the introduction of indirect rule by the British colonial authorities in 1878, lasting until 1951. During this period the colonial administration ruled indirectly through the native political institution (i.e. the chiefs), by constituting the chief and elders in a given district as the local authority, with powers "to establish treasuries, appoint staff and perform local government functions" (Nkrumah 2000: 55). Nkrumah also makes the interesting observation that, under indirect rule, downward accountability of chiefs to the people was replaced by upward accountability to the colonial authorities:

"the democratic ideals underlying chieftancy in Ghana, which made chiefs accountable to their peoples, began to suffer as the recognition by the central government was more crucial to the chief than the support of his people" (ibid.).

Thus, there are some echoes here, as well as obvious differences, with relations in the contemporary period between central and local government in Ghana, dispelling any lingering notions of a necessary association between decentralisation and democracy, and confirming how decentralisation can be used as a political mechanism by ruling political elites to reinforce their control.

In the post-independence period from 1957 onwards, local government was generally weak and subject to the centralisation of power that was typical of the post-colonial state in Africa (Tordoff 1997, chapter one). Attempts at decentralisation reforms were introduced at different times, for instance in 1974 under the military regime of Lt. Col. Acheampong, generally characterised by deconcentration, and aimed at strengthening central government control at the local level (Nkrumah 2000: 58).

A historical aspect was the decentralisation reforms introduced in the early period of Rawlings' populist military rule (1981-92). In 1983, Rawlings' PNDC government announced a policy of administrative decentralisation of central government ministries, alongside the creation of People's Defence Committees (PDCs) in each town and village. The PDCs, made up of local PNDC activists as self-identified defenders of the 'revolution', effectively took over local government responsibilities, though often limited to mobilising the implementation of local self-help projects (Nkrumah 2000: 58), while the deconcentrated ministries played a more significant role. Ayee (2000: 49) notes that despite the PNDC's populist rhetoric, its interest in decentralisation reflected that of previous regimes, that is, an interest in the administrative decentralisation of central government and not the devolution of political authority to the local level. To what extent have motivations changed and decentralisation become a genuine objective of contemporary decentralisation efforts?

Additionally, Ayee (2000: 49) perceives a key feature of local governance in the pre-1988 period as a dual hierarchical structure in which central and local government institutions "operated in parallel", but with encroachment at times by better-resourced central government on the roles and responsibilities of under-resourced local government. To what extent have such issues been resolved through subsequent decentralisation reforms, or, alternatively, to what extent do such problems endure?

## ***2.2 Legal Framework***

Ghana's current programme of decentralisation was initiated prior to the national democratic transition in the early 1990s. In 1988, the PNDC government introduced a major piece of legislative reform, the *Local Government Law* (PNDC Law 207). This created 110 designated districts within Ghana's ten regions, with non-partisan District Assembly (DA) elections held initially in 1988/89 and subsequently every four years (1994, 1998, and 2002). In addition to the two-thirds of DA members elected on an individual, non-party basis, one-third was appointed by central government, along with a chief executive for each district (Pinkney 1997: 79). The stated aim of the 1988 *Local Government Law* was "to promote popular participation and ownership of the machinery

of government... by devolving power, competence and resource/means to the district level” (cited in Map Consult 2002: 35). Interestingly, the language of ‘participation’ and ‘ownership’ anticipated the ‘donor speak’ of the 1990s, though it also had some resonance with the revolutionary rhetoric of popular participation of the earlier PNDC period. Oquaye (2001: 36) suggests that this decentralisation exercise was “largely introduced to satisfy donor demands”, but Ayee imputes different, self-serving motives. In his view, the real reason for the PNDC’s decentralisation policy was an attempt to increase their legitimacy and simultaneously to rid themselves of political problems (Ayee 1994: 200-2, cited in Pinkney 1997: 80).

### *2.2.1 Constitutional Provisions*

The 1992 Constitution, which marked the transition to multi-party democracy at the national level, endorsed the 1988 reforms. It consolidated the aim of decentralisation within the overall context of a liberal democratic constitution, yet essential democratic elements remained compromised, especially through the retention of presidential appointments and non-partisan local elections. The objective of decentralisation was laid out unambiguously in Chapter 20, entitled ‘Decentralisation and Local Government’. This states emphatically that:

“Local government and administration ... shall ... be decentralized” (Article 240[1]), and that the “functions, powers, responsibilities and resources should be transferred from the Central Government to local government units” (Article 240[2]).

The autonomous role of local government, with discretionary powers at the local level, was inferred by the provision that:

“measures should be taken [by Parliament] to enhance the capacity of local government authorities to plan, initiate, co-ordinate, manage and execute policies in respect of matters affecting local people” (Article 240[2][b]).

The principles of participation in local government and downward accountability to the populace was emphasised by the statement that:

“To ensure the accountability of local government authorities, people in particular local government areas shall, as far as practicable, be afforded the opportunity to participate effectively in their governance” Article 240[2][e].

Indeed, the democratic intent in the decentralisation provisions is made explicit in another section of the Constitution which states that the:

“State shall take appropriate measures *to make democracy a reality* by decentralizing the administrative and financial machinery of government to the regions and districts and by affording all possible opportunities to the people to participate in decision-making at every level of national life and in government” (Article 35[6][d]) (emphasis added).

This is somewhat contradicted, however, by the retention from the PNDC 1988 reforms of non-partisan local elections and presidential powers of appointment. Thus, District Assemblies are composed of 70 per cent elected members, with candidates standing as individuals and political parties banned, and 30 per cent of members appointed by the President, formally “in consultation with traditional authorities and other interest groups in the district” (Article 242[d]). Additionally, the appointment of the District Chief Executive (DCE) by the President was retained, though with the approval needed of two-thirds of District Assembly members (Article 243[1]). The DCE is the political head of the local executive, centrally involved in decision-making, with a District Co-ordinating Director (DCD) as the highest ranking civil servant.

As regards the financing of local government, the Constitution makes clear that the DAs “should have sound financial bases with adequate and reliable sources of revenue” [Article 240(2)], with an attempt to secure this through the establishment of the District Assembly Common Fund (DACF). This is determined annually by Parliament, but with allocations “not less than five per cent of the total revenues of Ghana” [Article 252(2)]. The proceeds of the DACF are then allocated between DAs on the basis of a revenue sharing formula approved by Parliament.

In terms of administrative reform, there is a clear intent to move away from a deconcentrated national civil service to the establishment of a local government service with the provision that:

“as far as practicable, the persons in the service of the local government shall be subject to effective control of local authorities” (Article 240[2][d]).

The DCD, appointed as the head of the district administration, would be a member.

In all, the objective of decentralisation, along with the key powers and responsibilities enshrined in sub-national government, was clearly established by the 1992 Constitution, with some references to the aim of local participation and the wider goal of democracy. As Ayea points out, however, “no differentiation is made in the Constitution of the choices made among different forms of decentralization” (2000: 13). There would seem to be an implicit preference for devolution and democratic decentralisation, as against mere deconcentration, though this is qualified by the retention of non-democratic aspects and by remaining ambiguity.

### **2.3 Sub-National Government Structures**

A three-tier structure of sub-national government was created by the 1992 Constitution [or Local Government Act of 1993??] at regional, district and sub-district levels. This comprises Regional Co-ordinating Councils (10), District Assemblies (110) and urban, zonal, town and area councils (1300), plus unit committees (16,000) (Nkrumah 2000:59). The District Assembly remains the key institution, however, and its role is discussed first, before that of the other two tiers. Additionally, the national level institutions responsible for operationalising decentralisation are briefly outlined.

#### *2.2.1 District Assemblies*

The standing of the District Assembly (DA) is clearly stated in the 1992 Constitution as “the highest political authority in the district, ...[with] deliberative, legislative and executive powers” [Article 241(3)].<sup>3</sup>

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<sup>3</sup> The 110 District Assemblies are actually divided into three types of, depending on the size of the district. Those in the major cities and towns are called ‘Metropolitan Assemblies’ (three in number) and ‘Municipal

DAs range in size from 54 to 130 members (USAID 2003: 9), with both elected (70%) and appointed (30%) members, as discussed above. Local elections are held every four years at approximately the mid-term point in the central government administration. The district MPs are also entitled to participate in the Assembly, though in a non-voting capacity, while the District Chief Executive is an *ex-officio* member. DA members elect a Presiding Member from amongst their number, responsible for the three to four general assemblies held each year, during which the DA acts as a district legislature. In between, the ongoing activities of the DA take place in committee structures, of which the Executive Committee (EXECO) is the most significant, responsible for general policy and overall development planning. The EXECO is composed of one-third of the DA members and performs the main executive and administrative functions. Under it are five statutory sub-committees (development planning; social services; works / technical infrastructure; justice and security; and finance and administration), with the EXECO able to create other *ad hoc* sub-committees as the need arises. All sub-committees report to the Assembly through the EXECO. The DCE, appointed by the national President, is the chair of the EXECO, while the Presiding Member and district MPs are barred from its membership. Although this situation may be prompted by a notion of the separation of powers at local level, the outcome is that an appointed representative of central government chairs the most powerful body at district level, while the Assembly's own elected leader is excluded.

The DAs were to assume control over the functions of 22 central government ministries and agencies, and the constitutional provision for the establishment of a local government service is recalled (Article 240[2][d]). To date, however, the Local Government Civil Service Bill has not been enacted by Parliament (USAID 2003: 9), and the officials in the previously deconcentrated central government departments remain as members of the national civil service (USAID 2003: 5). This is partly explained as due to resistance by career civil servants to work for local government, arising from fears about security of

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Assemblies' (four in number), where districts have a population over 250,000 or over 95,000 respectively. The other 103 'District Assemblies' cater for the less densely populated areas.

employment and general terms and conditions (Nkrumah 2000: 60), but a reluctance by central government to cede control to local authorities could also be pertinent. Clearly the failure to establish a local government service has adverse implications for local government autonomy and its ability to provide those services for which it is responsible. The powers and functions of DAs are addressed in detail in the next main section.

One unusual feature of the DA system is a grievance and complaints procedure by which the local electorate can hold individual DA members and officers to account. Members of the district electorate can make a complaint about the conduct of a DA member or official, which is considered by a Public Relations and Complaints Committee, chaired by the Presiding Member. If upheld, such complaints can lead to a district referendum, organised by the Electoral Commission, to decide whether the DA member should be recalled (i.e. stripped of his/her position). In addition, the Commission on Human Rights and Administrative Justice (CHRAJ) acts as an Ombudsman in relation to state personnel at both national and local levels.

### *2.2.2 Regional Co-ordinating Councils*

Each of the ten regions has a Regional Co-ordinating Council (RCC), chaired by a Regional Minister, appointed by the President. The RCC is composed of the Regional Minister and his/her Deputy, the Presiding Member and DCE from each district, two chiefs from the Regional House of Chiefs. Additionally the Regional Heads of decentralised ministries in the Region sit as non-voting members. The RCC's main function is to co-ordinate and regulate the DAs in their respective regions, though the interpretation and implementation of this task remains vague.

### *2.2.3 Sub-District Structures*

Rather complexly, three sub-district levels exist, though their significance and effectiveness is open to question.

Firstly, due to their disproportionate size, the three Metropolitan Assemblies (see footnote 3) are sub-divided into thirteen ‘sub-metropolitan district councils’, six in Accra, four in Kumasi and three in Shama-Ahanta.

Secondly, there are over 1300 Urban, Zonal and Town/Area Councils, with the given name dependent on the size and nature of the settlement.<sup>4</sup> These are *not* elective bodies. They are composed of representatives from institutions above and below, that is from the District Assembly and from the Unit Committees (see below), as well as central government appointees selected by the District Chief Executive on behalf of the President.<sup>5</sup> Ayee (2000: 17) describes the role of the Councils as a “rallying point of local enthusiasm in support of the development objectives of the DAs”, and essentially they are implementing agencies of the DAs.

Thirdly, there are over 16,000 Unit Committees (UCs) established throughout Ghana, covering settlements of between 500-1000 people in the rural areas and approximately 1500 in the urban areas. These are partially elected bodies, with membership consisting of ten elected members and five government appointees, again selected by the DCE, with the same notional consultation process. The UCs are highly decentralised bodies that again act as implementing agencies for the DAs, performing administrative functions such as the registration of births and deaths, public education campaigns, revenue raising and the organisation of communal labour for local projects (Ayee 2000: 18). Elections were held in August 1998 and in October 2002. The second elections were marred by their cancellation in over 10,000 units due to insufficient candidates, perhaps not altogether surprising given that members receive no remuneration and little recognition for the duties undertaken (USAID 2003: 8). There is a lack of research into these highly localised examples of representative democracy, but it would seem that their credibility and future is already uncertain, with ongoing discussions over the number and size of Unit Committees (*ibid.*).

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<sup>4</sup> Urban Councils represent urban settlements of over 15,000 people, while Zonal and Town Councils represent more rural settlements with populations of between 5000 and 15000.

<sup>5</sup> Formally, the DCE’s selection is in consultation with the Presiding Member of the District Assembly, traditional authorities and economic interest groups (Ayee ??: 17).

### *2.3.4 National Co-ordinating Institutions*

Three central government institutions play a significant role in the implementation of decentralisation policies, with the latter two established by the 1992 Constitution.

The *Ministry of Local Government and Rural Development* (MLGRD) is regarded as the one ministry with a commitment to decentralisation, though this is questioned at times, while other central government departments are perceived as resisting decentralisation (USAID 2003: 14). One of MLGRD's functions is to propose and co-ordinate national policies for local government (ibid.: 16). Its significance is indicated by the statistic that in 1999 only 25 per cent of DACF disbursements were fully discretionary to DAs, with MLGRD and Ministry of Finance guidelines determining the use of the remaining 75 per cent (ibid.). MLGRD also operates as the link institution between local government and international donors in their decentralisation support.

The *National Development Planning Commission* (NDPC) provides guidance and assistance to DAs in producing district development plans, outlining in effect their planned utilisation of discretionary funds, including locally generated revenue. [Also approves district development plans?]. A further role of the NDPC is to co-ordinate district development plans into a national development plan (Ayee ??: 466).

The *Office of the Administrator of the District Assemblies Common Fund*, attached to the President's office, has the practical task of disbursing funds on a quarterly basis to each district, as determined by Parliament. It also studies potential revisions to the annual formula to determine the distribution of the Common Fund among districts, with reports submitted to Parliament for consideration (USAID 2003: 15).

### ***2.4 Powers and Functions of District Assemblies***

The powers and functions of DAs, as laid out in the 1992 Constitution and the Local Government Act (Act 462) of 1993, are extensive. In many instances, however, such powers and functions are shared with central government ministries and agencies, not

dissimilar to the dual structure in which central and local government institutions operated in parallel, characteristic of the pre-1988 period (Ayee 2000: 49). A key question concerns whether the hierarchical relationship continues to exist or whether DAs now exert 'autonomous discretionary powers' over development activities in their jurisdiction.

#### *2.4.1 Powers of District Assemblies*

DAs are accorded wide-ranging powers by the 1992 Constitution and the Local Government Act of 1993 within their designated geographical area. They are the:

- Highest political and administrative authorities;
- Planning authorities;
- Development authorities;
- Budgeting authorities;
- Rating authorities.

(Ayee ??: 466)

#### *2.4.2 Functions of District Assemblies*

The 1992 Constitution and the Local Government Act of 1993 delineate six broad functions of the DA, as follows:

- To give political and administrative guidance, give direction and to supervise all other administrative authorities in the District;
- To exercise deliberative, legislative and executive functions;
- To be responsible for overall development of the District and ensure the preparation of (a) development plans of the District, and (b) the budget of the District related to the approved plans;
- Effective mobilisation of the resources necessary for overall development of the District;
- Promotion of productive activity and social development;
- To co-ordinate, integrate and harmonize the execution of programmes and projects under approved development plans for the district and other development

programmes promoted or carried out by Ministries, Departments, Public Corporations and other Statutory Bodies and Non-Governmental Organisations in the District. (Reproduced from Ayee ???: 466-7).

There seems a clear intent that the DA act as the principle authority, with overall responsibility for development activities, inclusive of co-ordinating and integrating those of other development actors. The extent to which this happens in practice is another matter, however.

These broad functions are then given detail and sub-divided into 86 particular functions, specified in the Legal Instruments that created the DAs, and including such significant areas as “roads, forestry, agricultural extension, secondary education, health service delivery, fire prevention, town and country planning” (Nkrumah 2000: 60). Ayee (??) categories these specific functions into deconcentrated, delegated and devolved public services, thus indicating the involvement of other actors, mainly central government departments and agencies, and their differential powers.

*Deconcentrated public services* entail national government services, (for example, fire service, police, customs and excise, immigration, internal revenue service), having a branch or office in all 110 districts. Such services are not directly under the DA, though there is clearly close co-operation between national and district authorities in these sectors. DAs do provide some services in this category, however, as agencies of national state institutions, for instance, the maintenance of trunk roads as agents of the National Highways Agency, and the maintenance of all public buildings constructed and owned by central government (Ayee ???: 467). Clarification is required on who bears the financial cost of providing such services, central or local government, as there appears to be some shifting of responsibilities here by central government.

*Delegated public services* are categorised by Ayee (??: 467-8) as those areas where DAs participate in the provision of certain services, with tasks delegated to them by the key responsible institution, usually a central government ministry or agency. Essentially DAs

appear to be executing central government policy as a lower level political authority, though without significant decision-making or discretionary powers in these areas. Examples include: the provision of public health in consultation with the Ministry of Health; water supply in conjunction with the Ghana Water and Sewerage Corporation; public lighting in conjunction with the Electricity Corporation, and so forth. Some delegated tasks are carried out by sub-district structures, for example, the registration of births and deaths by Unit Committees (ibid.: 468).

*Devolved public services* entail full power and responsibility residing in the hands of the DA, having legislative power to make bye-laws (subject to approval by the Minister for Local Government), revenue-raising powers, and decision-making powers. Examples of such devolved services are: district development planning; construction of public facilities such as roads, parks and cemeteries; provision of relief services at times of natural disaster (ibid.: 469). It is only in this category of devolved public services that DAs exert ‘autonomous discretionary powers’.

It is apparent that DAs have at least partial responsibility for a large number (86) of important and wide-ranging functions and public services. Yet they only have full control over the minority of ‘devolved public services’, acting alongside deconcentrated state institutions or as executing agents of central government policies in the other two categories. Therefore, on the one hand, the exercise of ‘autonomous discretionary power’ is limited to devolved public services, estimated as representing one quarter of DACF disbursements (USAID 2003: 16) . On the other hand, an extensive range of services has been transferred by central government from its own departments to local government, suggesting a degree of ‘passing the buck’ and ridding themselves of onerous tasks, while simultaneously overburdening DAs. Yet central government authority at district level has been largely retained. Given that the majority of DA activities involve deconcentrated or delegated services, it is central government, not the DA, that remains the principle authority, despite expressed constitutional and legislative intent. Indeed, the notion of a ‘dual hierarchical structure’ as characterising the pre-1988 period (Ayee 2000: 49), would seem to endure and retain a contemporary relevance. This raises issues of DA capacity.

Most worryingly, the overburdening of DAs could have an adverse effect on their ability to deliver the limited range of services for which they do have sole responsibility and discretionary powers, undermining public confidence in district level government.

### **3. Constraints on Democratic Local Governance in Ghana**

This section addresses the question of whether decentralisation in Ghana entails *democratic* decentralisation, that is, whether it involves the transfer of power and resources to representative actors that are democratically elected and relatively independent of central government. As stated above, the constitutional framework, though not wholly unambiguous, is inclined towards a democratic form of decentralisation, rather than mere deconcentration. But to what extent is this translated into practice? Findings are of a number of constraints and limitations on democratic local governance in Ghana. These are grouped and discussed here in four clusters, issues of local government autonomy, of fiscal independence, of district-level capacity, and of inclusion and participation.

#### **3.1 Local Government Autonomy**

Despite adherence to the rhetoric of decentralisation, the political commitment of national governments to the devolution of power to local authorities is often limited, disinclined to lose power themselves. In Ghana, it is evident that the autonomy of local government is compromised and undermined in a number of ways, indicating that central government control remains very real. It is argued here that its influence is maintained through a number of processes: presidential appointments, non-partisan elections, administrative control and fiscal control (examined in the next sub-section).

##### *3.1.1 Elected Representatives versus Presidential Appointees*

It is recalled that there are two means by which direct presidential control is exerted: the appointment of thirty per cent of DA members and of the District Chief Executive. This leaves a significant democratic deficit, with the appointment system encouraging upward accountability to central government rather than downward accountability to the local electorate.

Central government control over the appointment of the DCE is particularly significant, given that he/she (though invariably 'he') is undoubtedly the most powerful and important person in the DA system: chair of the Executive Committee and effectively the "chief executive of the total district administration" (Ayee 2000: 22), responsible for the day-to-day performance of the executive and administrative functions of the DA. Further indications of the power of the DCE are that he/she is the sole conduit to the DA on policies determined by the President, and that the District Co-ordinating Director (DCD), secretary to both the DA and the EXECO, is answerable to the him/her rather than to the Assembly. Additionally, the concentration of power in the hands of an unelected DCE is further problematic from a democratic perspective, given a lack of checks and balances. Ayee (2000: 22-3) states that, "In law and practice, the Presiding Member (PM) and the Member of Parliament (MP) do not represent any counter balance to the dominance of the DCE". Although the District Assembly may seek to temper the actions of the DCE, it would appear instead that the role of locally elected DA members is undercut by the power of the centrally appointed DCE. Eriksen et al. (1999: 102) confirm that the DCE has almost a free hand in exercising his/her authority at the district level, and state that this entails administrative deconcentration (in contrast to democratic decentralisation). In sum, an unelected DCE wields relatively unchecked power, with limited accountability upwards to central government, not downwards to the local electorate.

The split between two-thirds elected and one-third appointed DA members is based on historical legacy, but one which undermines contemporary local democracy. The local government councils introduced pre-independence in 1952 were composed of two-thirds elected members and one-third traditional leaders (chiefs), reaffirmed in the decentralisation reforms of 1974 (Ayee ??: 460). Although the 1988 reforms, under Rawlings' PNDC regime, banished the chiefs from the formal local government system, the same proportion of elected and appointed members was retained, though now serving to strengthen central government influence. The main argument in favour of one-third appointees is a meritocratic one, i.e. it is necessary to ensure the inclusion of members with requisite skills and expertise, such as key professionals. In practice, the presidential

appointment system can provide central government and the party in power with the opportunity to appoint party loyalists and thus to strengthen party influence in local areas. It also provides the President with a means by which to patronise elite groups in the district, such as business people and traditional chiefs. Again, the allegiance and accountability of appointed members is unlikely to be downward to the electorate, but upward to those in central government to whom they owe their position.<sup>6</sup>

Overall, the lack of a fully elected DA, inclusive of an elected DCE, entails a significant deficit in the system of democratic representation and in the accountability of local representatives to the electorate. In short, the democratic principle of popular control is severely compromised.

### *3.1.2 Partisan versus Non-partisan Elections*

Non-partisan elections for the 70 per cent of elected DA members entails a further constraint on democratic practices. What are the motives for non-partisan elections and why is this approach maintained? Introduced in 1988, before Rawlings was pressurised to introduce multi-partyism nationally, non-partisan elections were retained by the 1992 Constitution. Arguments in favour of non-partisanship hark back to the immediate post-independence period when many African governments emphasised nation building and the need for consensus, as against party political competition, in order to promote development goals. Indeed, advocates of non-partisanship are reported as arguing that it “prevents development from being hijacked by political parties and deters central government from punishing opposition districts” (USAID 2003: 8). Such past arguments became discredited as one-party and no-party states failed to deliver socio-economic development and pressure for a return to multi-party politics had built up in much of Sub-Saharan Africa by the early 1990s, including in Ghana. Thus, non-partisan elections at the local level is contradicted by the institutionalisation of multi-party politics at the

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<sup>6</sup> A separate argument in favour of appointed members is that it enables central government to counter structural inequalities, for example, the directive of 1998 that at least 30 per cent of appointed members should be women. Numbers of female Assembly members have subsequently increased, yet there are democratic mechanisms for attaining the same objective, such as all women lists of candidates.

national level, and the legal prohibition on political party competition in DA elections appears increasingly anomalous.

A more concealed and less laudable motivation may be that non-partisanship is valued for the indirect advantages bestowed on the governing party. It denies to party candidates the opportunity to present a set of coherent policies to the local electorate along party or ideological lines, whereas the ruling party's local influence is strengthened by the appointment system.<sup>7</sup>

Now is not the moment to examine the role of political parties in a democracy, but suffice to say that party politics potentially enhances the degree of popular control. Whereas individual DA members are unlikely to have significant influence on public policy making, the involvement of political parties enables broad programmes of alternative local policy options to be put forward for selection by the electorate. Moreover, the presence of organised political parties in the Assembly allows more effective scrutiny of local government practices and serves as a mechanism for channelling public concerns to government, both important dimensions of popular control. The introduction of party politics at the local level would acknowledge that development *is* a political issue, not politically neutral, with different approaches and policies influenced by distinct ideological positions.

### *3.1.3 Administrative Controls*

Central government departments maintain a close administrative and financial eye on local government activities. The National Development Planning Commission and the Ministry of Finance respectively (Nkrumah 2000: 60) examine the district development plan and the annual budget. Additionally, any recruitment into the service of the DAs has to be done either through the national civil society or agreed by the relevant central government body (*ibid.*). Financially, the accounts of local authorities are audited

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<sup>7</sup> An NPP pledge in the December 2000 election campaign was for full (multi-party??) elections for DA members and DCEs, but this appears to be less of a priority now that they are in power (Map Consult 2002: 38).

annually by central government agents, and DAs are unable to borrow money without central government approval (ibid.). Such control mechanisms, though prudent in some respects, tend to stifle local initiative, and leave local authorities in Ghana looking upwards to central government to undertake major development projects. They also indicate how DAs are subject more to central control than popular control.

### **3.2 Fiscal Independence**

A particularly significant means of restricting local government autonomy is through central government control of the purse strings. To what degree is local government fiscally independent? To what extent is local government financing commensurate with its responsibilities? How dependent are district authorities on central government for their financing? How adequate are their own revenue raising powers?

District authorities have three sources of revenue: the District Assemblies' Common Fund, ceded revenue, and their own revenue-raising powers through local taxation. The DACF is the main source, providing a constitutionally guaranteed minimum share of government revenue, and thus some financial independence. Yet evidence of its workings is somewhat mixed. On the one hand, annual monies distributed by the DACF have increased quite significantly from 38.5 billion cedis in 1994 to 165 billion cedis in 1999 in actual amounts, that is without taking inflation into account (Nkrumah 2000: 63). On the other hand, it is disputed whether district authorities have received the full five per cent, with annual allocations based on *projections* of annual revenue, invariably underestimated. A report for USAID states that DACF disbursements have averaged about 4.3 per cent of actual annual revenue, though no source is cited (USAID 2003: 15). A further argument is that the five per cent minimum of national revenue is insufficient, given the broad range of responsibilities devolved to district authorities

A second source of finance is 'ceded revenue'. This is revenue from a number of lesser tax fields that central government has ceded to the DAs.<sup>8</sup> Ceded revenue is still collected

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<sup>8</sup> Such tax fields include Entertainment Duty, Casino Revenue, Betting Tax, Advertisement Tax and others (Ayee 2000: 32).

by the Ghanaian Internal Revenue Service (IRS), but then transferred to DAs via the Ministry of Local Government and Rural Development. Again, there is mixed evidence of its workings. Nkrumah (2000: 62) suggests that ceded revenue has contributed quite substantial sums to local governments, yet Ayee (2000: 32) cites evidence from his three case-study districts that none had actually received such disbursements from central government.

Local authorities are not completely dependent on central government and do themselves have some revenue-raising powers. Such local taxation is limited, however, with Nkrumah (2000: 61) commenting that the “lucrative tax fields” (for example, income tax, sales tax, import and export duties) all belong to the centre, while local government has access only to “low yielding taxes such as basic rates and market tolls”.

Given the extensive responsibilities decentralised to district authorities, outlined above, it is generally recognised that their financial position is weak. Local government has little fiscal independence, remaining overwhelmingly dependent on central government for its financial resources, with limited revenue raising ability. Oyugi (2000: 12-3) suggests that the dependence of local authorities on central government funding leads to a loss of ‘operational autonomy’, with local initiatives undermined. The establishment of the DACF is certainly an advance in this respect, providing a constitutionally guaranteed minimum, though the figure of five per cent would seem inadequate. Yet we are also reminded that central government directives determine 75 per cent of expenditure. Greater autonomy still would stem from the ceding of greater revenue-raising powers, but the likelihood of such fiscal reforms is slim.

Overall, it appears that central government has been more willing to share its responsibilities with local government than to share its revenue. The consequence of a fiscal crisis for local government, perhaps generated by central government, would be an inability to deliver public services in line with new responsibilities, in turn undermining the DA’s legitimacy in the eyes of the local electorate. Any notion of popular control is undermined by the truism that ‘he who pays the piper, call the tune’, with DAs

responding less to local taxpayers and more to the requirements of central government. The lack of fiscal independence relates closely to the next discussion of local government capacity, with similar arguments applying.

### **3.3 Capacity of District Level Government**

The decentralisation of decision-making and public service provision in specified areas entails a related rise in public expectations of local government. Yet a common problem is that existing local government structures do not have the necessary capacity to undertake new and expanded responsibilities, with a resultant failure to meet such raised expectations and erosion in the support for local democracy. Already, by 1999, the DA system in Ghana appeared to be suffering from such a legitimacy gap. A public opinion survey (Afrobarometer) discovered that citizens were more likely to consult traditional chiefs, faith-based leaders and other notables than go to local government representatives or public officials, while only 56% of respondents were satisfied with the performance of local government representatives compared with 65% with traditional chiefs (Bratton et al. 2001: 243). Thus, capacity building of district level institutions is clearly essential if the legitimacy of democratic local governance is not to be undermined. Therefore what are the key constraints on capacity, and what measures are necessary to address these?

Issues of district level capacity concern deliberative, legislative and executive functions. Deliberation and legislation occur in the District Assembly itself, inclusive of its committee structures. As a relatively new institution, established in 1989, DAs remain fairly weak. There is a need to strengthen the DA as a key institution of democratic politics at the local level, for instance through training programmes for DA members and staff, strengthening of committee structures, infrastructural development and the enhancement of human resources. Clearly multilateral and bilateral development agencies could contribute towards such capacity building.

With regard to executive capacity, the key issue concerns the creation of a Local Government Civil Service. Despite this being constitutionally mandated and the relevant bill being drafted a number of years ago, the necessary legislation has not (to date)

reached the statute book.<sup>9</sup> Thus the majority of public officials working at district level remain under the control of deconcentrated central government ministries and agencies.<sup>10</sup> The lack of a competent civil service under DA control undermines its capabilities to assume responsibility for socio-economic development in its local area, as apparently intended in constitutional provisions and as is the proper role of the principle institution of local democratic governance.

The failure to establish a local government civil service means that the position of the District Co-ordinating Director (DCD) is particularly anomalous from a democratic perspective. As the highest-ranking civil servant, s/he should be appointed by and accountable to the DA as the head of the local government service, as would appear to be the constitutional intent (Article 240[2][d]), with government officials in the district accountable to him/her. Instead, as a central government appointee, the DCD owes her/his position and allegiance to central government, directly accountable to another upwardly oriented appointee, the DCE.

Particular concerns are expressed regarding DAs' capacity for financial management, described by Ayee (2000: 38) as "seriously inadequate", with evidence from three case-study districts. As an institution with responsibility for significant amounts of public funds, DAs must possess the capacity to put such funds to efficient use. Otherwise its case for an additional percentage of national revenue and its legitimacy in the eyes of the electorate will be undermined.

The question of local government capacity can take on a 'chicken and egg' character (Conyers 1990: 30, cited in Ribot 2001: 45). Central government is frequently reluctant to transfer power and responsibility until local government has the requisite capacity to fulfil such tasks, yet no attempt to strengthen local government capacity is made until it is

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<sup>9</sup> The relevant section in the Constitution is recalled, stating that "as far as practicable, the persons in the service of the local government shall be subject to effective control of local authorities" (Article 240[2][d]).

<sup>10</sup> It also raises the opportunity for central government ministries and agencies to hold onto funds even though the functions have been transferred to DAs, as suggested by Ahwoi 2001: 4, cited in Ribot 2001: 44).

ceded such powers. Ribot (2001: 58) argues for power before capacity, precisely as the means for gaining capacity. What is certain is that the legitimacy of democratic local government will be undermined unless there is serious attention to strengthening the quality and quantity of its human and technical resources. The democratic principles of popular control and political equality only become meaningful where local government has the capacity to implement policy choices and to deliver public services. Without capacity building, the alternative scenario is of District Assemblies having been set up merely in order to fail.

### **3.4 Inclusion and Participation**

A perceived benefit of democratic decentralisation is the enhancement of political participation in processes of political decision-making and socio-economic development at local levels. Moreover, participation is clearly a key element of effective popular control over government. Indeed “popular local participation in local decision-making” is explicitly stated in the Constitution as an objective of decentralisation in Ghana [Article 240(2)]. But to what extent are such aspirations realised in practice? Is participation high or low? Does a local elite dominate the DA system? These are largely empirical questions, but an initial examination of issues of civil society participation is provided here, highlighting particular concerns regarding the representation and participation of women.

#### *3.4.1 Civil Society Participation*

Positively, there are no legal or political barriers to participation in democratic local governance in Ghana, excepting the ban on partisan party politics. More problematically, there are economic, social and cultural barriers. There is informal exclusion through poverty, illiteracy and rural isolation. Culturally, the persistence of gender stereotypes and of male power impedes the participation of women, discussed in more detail in the next sub-section.

It seems that decentralisation measures have brought about an increased level of participation in local decision-making and in local development initiatives, yet this level

remains relatively low. Overall, Ayee (2000: 34) believes that the “opportunities for participation are moderate but growing”, while his own evidence and that of others indicate that such opportunities for civil society organisations and the electorate at large remain limited. There is evidence of some consultation procedures in the formulation and implementation of local policies and programmes, for example through village meetings. Yet Ayee (2000: 36) also notes that such procedures were not standard practice, and that, more commonly, DA representatives “suggested programmes or projects at DA meetings without any prior consultation with the electorate” (ibid.: 37). In another publication, Ayee (?: 473) notes that projects financed from the DACF are “mainly determined either by the central government or in a few cases by individual DA members *without* the involvement of the local people” (emphasis added). Further, it is recognised that local self-help projects have been stimulated by the DA system, often in collaboration with national and international NGOs, for example, the construction of schools, clinics and latrines. Indeed, Nkrumah (2000: 64) notes that such “NGO activities have expanded both in scope and intensity” under decentralisation.<sup>11</sup> Yet, although decentralisation may provide a more favourable environment for such efforts, the involvement in local development activities of NGOs from outside the communities concerned is hardly new, and it is questionable whether the expansion of such activities are linked to democratic decentralisation. Alternatively, the increased operation of NGOs at grassroots level, as noted by Nkrumah, could be due to the withdrawal of the state, both central and local, from local service provision, as encouraged by a donor-driven agenda of neo-liberalism, coupled with the increased availability of donor funding for NGOs.

Further questions concern who participates and whether participation is restricted to a subset of the populace, with others relatively excluded? Consultants for USAID note that local professional organisations, such as those of teachers (Ghana National Association of Teachers) and nurses (Ghana Registered Nurses’ Association), exert more influence on DAs than other groups (USAID 2003: 9), possibly due to relatively high socio-economic status and involvement in their respective communities. The same report notes a sense of

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<sup>11</sup> Such NGOs include World Vision, the Adventist Development Relief Agency (ADRA), the Centre for the Development of People (CEDEP) and the African Centre for Human Development (Nkrumah 2000: 66, fn.17).

“powerful local notables, businesspeople, or other entrenched and dominant interests exerting disproportionate influence on the DCE” (ibid.). This not only suggests a degree of elite dominance, but also the by-passing of the District Assembly and its more democratic structures, seeking direct influence on the powerful, presidential appointee.

What are the constraints on increased civil society participation? There would appear to be restrictions on both ‘supply’ and ‘demand’ sides. Structurally, there is a lack of formal mechanisms to channel civil society input into local government decision-making and local development planning, as well as to undertake oversight functions. Yet, Ayee also notes a certain lack of desire to participate. In his words, “decentralization has not been able to wholly whip up the enthusiasm of the ordinary people in Ghana” (Ayee 2000: 37). Why is this? Is it due to cultural reasons relating to traditional values and a respect for authority that diminishes the degree of participation in local decision-making? Or is there a lack of commitment to genuine devolution and democratic decentralisation by central government, making local participation less than meaningful? Relatedly, have local populations already become disillusioned with decentralisation as DAs remain relatively weak and unable to respond to local development needs? Perhaps there is a lack of what USAID’s consultants call “a common vision” on what decentralisation entails and the degree of local participation involved (USAID 2003: 12)? These, and similar questions, require empirically-based answers.

It is evident, however, that constraints on participation and the prevalence of elite dominance respectively limit popular control and qualify political equality. Popular control over government is most effective where various forms of participation facilitate the expression of public opinions and oblige governments to listen to the people. Problems of elite control are familiar in representative democracies, and dominance by local elites is common in decentralisation studies, with rural poverty and economic inequalities presenting strong obstacles to political equality and the more equal distribution of influence among different social groups. Nevertheless, efforts can be made to encourage the more active involvement of poorer people and to reduce the differential access to political processes provided by wealth and status. Yet, popular participation is

only meaningful where tangible results are possible. The lack of enthusiasm identified by Ayee may be due to a realistic appraisal that District Assemblies' domains of discretionary power, over which popular control can be exerted, remain very limited.

#### *3.4.2 Representation of women and gender issues*

The poor representation and participation of women in democratic local governance is a particularly acute issue. Both quantitative figures and qualitative impressions confirm that the representation of women in the DA system is low. Ayee (2000: 34) states that "the dominance of men in the work of the DAs is overwhelming". Statistics for the (lack of) representation of women are stark. Women made up only five per cent of elected members, only three out of 110 Presiding Members (equivalent of the Assembly chair), only 12 of 110 District Chief Executives and only three of 110 District Co-ordinating Directors (Ofei-Aboagye 2000: 3-4).<sup>12</sup> Numbers of women Assembly members were increased somewhat by the central government directive in 1998 that at least 30 per cent of appointed members should be women, however it is noted that women appointees rarely exceeded this minimum (ibid.). With regard to the civil service, women constitute 24 per cent of those in local government, predominantly in secretarial and clerical posts, and only 12 per cent of the administrative (i.e. decision-influencing) class (ibid.: 4). The lack of female representation, both at the political and administrative levels, inevitably has an adverse impact on the ability of community-based groups to voice their concerns to DAs, and on the responsiveness of local government to women's needs and to issues of gender inequality.

What are the obstacles to women entering local politics? Both practical and cultural factors are evident. More practical obstacles include time and financial constraints. The former pertain to women's multiple roles as wives, mothers, workers and community activists, while the latter relate to a lack of access to the funds required for campaigning, especially on an individual, non-partisan basis. The gender gap in education is another impediment to women's participation, but deeper-seated cultural beliefs are probably of more consequence. Gender stereotypes of men's and women's roles include the "widely-

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<sup>12</sup> These figures relate to the DA system prior to the 2002 elections.

held perception that political activity is ‘dirty’ and not for decent women” (Ofei-Aboagye 2000: 4). Essentially the political arena is seen by many men as their sole preserve, with many husbands “reluctant to have their women in the public eye” (ibid.). An assemblywoman is cited as saying that there is a social stigma to be overcome, and that women are intimidated by their husbands and by society in general from participating in the District Assemblies (USAID 2003: 10). Further, Ofei-Aboagye (2000: 4) cites direct instances of the assertion of male authority and power in Assembly meetings, for example, of women being shouted at or being ignored by the Presiding Member when wanting to make interventions.<sup>13</sup>

The principles of popular control and political equality are both severely undermined by the evolution of acute gender inequalities. The equal right of all citizens, women and men, to stand for public office and to be represented in government is seriously impaired by the male domination throughout the DA system. The idea of popular control by all citizens is seriously impaired in situations where women’s concerns and needs are at best marginalised.

What can be done to improve this situation? Ofei-Aboagye suggests two approaches, one targeted at enhancing women’s capacity to participate in the DA system, and the other at changing the relatively hostile environment for women in local government institutions. Enhancing women’s capacity entails measures both to encourage women’s representation in DAs and to encourage women’s groups to engage with local government structures. Fostering an improved environment for women’s participation involves increasing the awareness of local government, at both political and administrative levels, of women’s needs and concerns and of issues of gender inequality.

#### **4. Conclusion**

In contemporary Ghana, as in other countries, it would seem that there is an elite consensus in favour of decentralisation as a positive force for democracy and

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<sup>13</sup> Clearly such gender stereotypes, accompanied by the assertion of male power, are not specific to Ghana but common to most if not all countries, including the so-called developed countries.

development. Nkrumah (2000: 53) informs us that, “Parliament, the government and its agencies, donors, and international institutions are all interested in decentralization as a process towards a more democratic society in Ghana in which enhanced and sustainable human development is possible”. Decentralisation is regarded as “so important that it enjoys constitutional guarantees and open bipartisan support” (ibid.). But what form of decentralisation is prevalent in Ghana and how positive are its outcomes? To what extent can it be regarded as democratic decentralisation?

The post-independence history of decentralisation in Ghana has been characterised as one of deconcentration as successive governments from President Nkrumah onwards, both civilian and military, sought to strengthen their control through the presence of central government ministries and officials at local level (Nkrumah 2000: 57). The contemporary period of the Fourth Republic, overseen by the 1992 Constitution, does involve a step towards more democratic decentralisation, though the degree of devolution appears to be limited. Indeed, it is possible to argue that all three types of decentralisation are evident in Ghana today. The earlier emphasis on deconcentration remains, especially with the failure (to date) to transfer deconcentrated central government departments to local government control. A degree of fiscal decentralisation has occurred, particularly with the creation of the District Assembly Common Fund, although the adequacy of financial resources transferred to local government is severely questioned, and democratic control over financial matters is limited by the sizeable proportion of unelected DA members. Some devolution of power is apparent, given the clearly stated principles in the 1992 Constitution. However, decentralisation in practice has entailed a number of constraints on democratic local governance, with the principles of popular control and political equality subject to substantial qualifications and restrictions. Ribot’s definition of democratic decentralisation is recalled, as “entrust[ing] downwardly *accountable* representative *actors* with significant domains of discretionary *power*” (2001: 3, emphasis in original). To what extent have such criteria been met in Ghana?

With regard to key actors in the DA system, there are clear shortcomings with respect to their representativeness and downward accountability. The system of presidential

appointments, both of DA members and the powerful DCE, results in a significant proportion of decision-making personnel being neither elected nor downwardly accountable. Rather the appointment system encourages upward accountability, given that appointees owe their position and their allegiance to central government structures. This is only one mechanism, however, for maintaining central government influence and limiting local government autonomy. Others outlined have included non-partisan elections, administrative controls and the lack of fiscal independence. The combination of such factors leads Nkrumah to conclude that “central government’s dominance is unquestionable” (2000: 64). Popular control becomes less meaningful when local authorities do not themselves exert power over significant domains of decision-making.

Downward accountability is dependent not only on elected representation, but also on the channels of participation available to civil society actors, as regards both policy inputs and scrutinising DA performance. Discussion here has focused on the limits of such procedures, their possible dominance by local elite figures, and the acute gender inequalities that pervade the whole DA system. Greater representation of and accountability to the female half of the electorate and population are essential if popular control and political equality are to be realised in any meaningful way.

Despite the constitutional provisions that implied an autonomous and lead role for local government in initiating and co-ordinating local development policies (Article 240[2][b]), the evidence of the degree of central government control and the lack of local government autonomy undermines any notion of ‘domains of discretionary power’. It is further weakened by the discussion of powers and functions, noting the extensive range of 86 functions decentralised to local government, yet the non-existent or limited discretionary power in the majority of those areas. Full power and responsibility only resides with district authorities for the minority of *devolved* public services, estimated at 25 per cent of DACF expenditure. Where public services are deconcentrated or delegated, DAs merely act as agencies for the central state or have tasks delegated to them by central government ministries, with little or no discretionary powers. There is little to suggest that DAs have become the principle authority, providing direction and

supervision to all other authorities in the district, including central government departments and agencies, as outlined in constitutional and legislative provisions. On the contrary, central government appears to remain dominant at district level, in terms of top-down policy direction and guidance from the Ministry of Local Government and Rural Development, the National Development Planning Commission and the Ministry of Finance, and in terms of policy implementation by central government agencies.

Two related processes can be identified here, the combination of which undermines the effectiveness and legitimacy of democratic decentralised government. On the one hand, DAs have *too much responsibility* bestowed upon them, including in areas where they have little or no power but are merely the implementing agents of central government policies. It would appear that central government has been able to shift the burden of public service provision to local authorities, particularly convenient in financially constrained times after two decades of structural adjustment. On the other hand, DAs have *too little capacity*, both in financial and human terms, to undertake such extensive duties. DAs' lack of power and capacity undermines their ability to execute these newly acquired responsibilities in an efficient, effective and democratic manner. In turn this can threaten the legitimacy of (quasi-)democratic institutions, especially given the raised expectations of the local populace. Their limited capacity would perhaps be best concentrated on the minority of areas where they have devolved powers.

It is concluded that there are a number of constraints to democratic decentralisation in Ghana and it cannot be characterised as entailing 'downwardly *accountable* representative *actors* with significant domains of discretionary *power*'. For Ribot (2001: 3), the implication is that decentralisation is thus not "structured in ways likely to deliver the presumed benefits [of development]". Therefore, the working hypothesis that emerges is that the 'constraints on democratic development are likely to have negative implications for pro-poor outcomes'. Further research will concentrate on whether decentralisation has been a significant tool for development in Ghana, investigating the developmental outcomes from almost fifteen years of the District Assembly system, focusing on its impact on socio-economic development and poverty reduction. If pro-

poor outcomes are limited, analysis will concentrate on the interaction with political factors, inclusive of the extent to which democratic deficits in decentralisation are linked to developmental shortcomings, and whether political reforms have the potential to enhance pro-poor prospects.

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