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Assessing the quality of accountability in Ghana's district assemblies, 1993 - 2008

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The article delineates the forms and mechanisms of accountability in Ghana's District Assemblies (DAs) and probes their efficacy in the current decentralization policy. It provides empirical data on how accountability relationships have improved or not improved local democracy in Ghana. The DAs were created to be pillars of grassroots governance. The devolution of power to the DAs aimed at enhancing a system of local public monitoring and checks on their elected representatives. This was justified that local representatives would be more accessible to the local populace and could be held at close range for their policies and actions than distant national political leaders. The paper notes that the challenges of local accountability are many but they stem from the tendency of the central government to recentralize power by placing grassroots leaders under its influence. The practice of appointing the DCE and thirty percent members of the DAs, and the upward reporting mechanism reflect a growing culture of central controls in order to side step the autonomy of the DAs. The most apposite remedy for overcoming weak grassroots accountability lies in reform measures that allow the direct election of all officials of the DAs by the local populace.

Key words: District assemblies, accountability, elected representatives, local electorate, democracy, decentralization.

INTRODUCTION

Ghana is perceived by some commentators as a model of democratic success in Africa (Gyimah-Boadi, 2004a; Commonwealth Observer Group, 2008): it has a sustain-ed party politics, respectable electoral process with acceptable democratic norms framed around the rule of law, civil and political liberties (Agyeman-Duah, 2008). Also, most scholars writing on local government in Ghana posit that since 1987, the implementation of decentra-lization policy (Ayee, 2008; Ahwoi, 2006) transfer of au-thority to plan, make decisions and manage public func-tions from a higher level of government to any individual, organization or agency at a lower level (Rondinelli et al. 1989:58) has witnessed remarkable increase in grass-roots governance. Yet, there are disturbing aspects of local government and decentralization in Ghana, particu-larly since 1993 that raise critical concerns about the local democracy that has evolved, and the prospect for institutionalizing accountable grassroots representative institutions as a prerequisite for consolidating democracy in Ghana.

Because in Ghana, decentralization – devolution of po-wer to representative local government units is expected to improve popular participation, transparency, empower-ment and responsiveness, the overwhelming enthusiasm for decentralization has come to centre on accountability of elected local leaders to the people (Ayee, 2008; Rondi-nelli et al. 1989). To be sure, of the many justifications for representative democracy, the more significant claim is that the power of representatives must be subject to checks by legislations. This is because accountability is considered instrumental in securing optimal performance from elected representatives and the public department under their charge (Moncrieffe, 2001:26). However, se-curing accountability at the local level is, perhaps, the most vexing problem within democratic local govern-ments in developing countries such as Ghana where institutions are about evolving and the rate of illiteracy, ignorance and poverty is extremely high, and access to information and legal channels are virtually nonexistent (Ayee, 1996; Agyeman-Duah, 2008).

Although local government and decentralization in Ghana have been flagged in many scholarly studies, the subject of local government accountability is under-explored. Yet, when accountability fails – when the state

breaks its bargain with citizens – many things can go wrong: public funds may be misappropriated or stolen, public contracts and posts may be unfairly awarded, and public services may be poorly delivered or not delivered at all, among others (Schacter, 2000:5) . Thus because the consequences of failed accountability can be dire, it is important to understand how accountability can fail, which in turn determines what may be done to fix it.

Since Ayee's (1996) study that appraised the performance of the DAs three years after their inauguration in 1993, there is virtual neglect of what has happened at the local government level. The concentration of the analysis of the DAs to events prior to 1996 by Ayee reinforces the argument for a relatively detailed examination of what has occurred at the local government units fifteen (15) years after their creation. A large volume of accountability literature also presumes that political accountability works within the confinements of national political systems (Pastor, 1999; Schedler, 1999b). But what about the sub-national levels of government?

The current attempt to investigate the various dimensions of accountability practices in Ghana's DAs is therefore instructive and an encouraging development in the study of local government in Ghana. The strength of this study further lay with the application of empirical data to analyze accountability relationships at the local government arena as opposed to the national government level. Given the complex nature of accountability, many interesting questions arise: how has accountability been explained?; Why has accountability become high on the agenda of the District Assemblies (DAs)?; What has happened in the DAs regarding accountability?; Is there a gap between policy objective of local accountability and what happens in practice?; What factors challenge grassroots accountability, and what measures can be deployed to overcome them?

Conceptualizing accountability

A long history of Western political philosophy attests to, and underpins the centrality of accountability in liberal democratic political systems (Gregory, 2007:339). Despite this, the concept of accountability defies a clear-cut definition. An array of interpretations is given to accountability by legions of scholars with each cutting into a portion of the concept. This paper does not intend to proclaim the superiority of one meaning over others but to bring out the different usages and highlight those applicable to the Ghanaian experience.

The starting point of understanding the concept with a hydra-headed meaning is the origin. The term, "accountability" comes from Latin, *accomptare* (to account), a prefixed form of *computare* (to calculate), which in turn, is derived from *putare* (to reckon) (Wikipedia.com, 2009). According to Uhr (1993), the etymology of accountability is traceable to the requirement that expenditure of public money be verified and controllable. Hence, the word grew as an extension of the terminology used in the money

lending systems that first developed in Ancient Greece and later, Rome (Wikipedia.com, 2009).

For political scientists, an examination of accountability should begin with the question of how to control the exercise of power. Because the exercise of power can lead to abuses, there is the need to domesticate and control the use of power by subjecting it to certain procedures and rules of conduct. According to Schedler (1999a), the three dimensions - enforcement, monitoring and justifycation of which accountability embraces turns political accountability into a multifaceted enterprise that copes with a variety of actual and potential abuses of power. Thus, in one sense, accountability means answerability for a person's action or behaviour in the exercise of authority (Moncrieffe, 2001; Dwivedi, 1994).

Indeed, in the study of politics, accountability is viewed as the ability to determine who in government is responsible for a decision or action and the ability to ensure that officials are answerable for their actions. Accountability therefore means holding elected or appointed officials entrusted with public mandate and organizations charged with managing public functions answerable for specific actions or activities to the citizens from whom they derive their authority. It then becomes 'the obligation to explain, justify, or answer questions about how resources have been used and to what effect' (Trow, 1996:310).

Originally, accountability had involved the development of objective standards of evaluation to assist owners of firms to evaluate the performance of duties by individuals and units within the organizations (Olowu, 1999:140). This way, accountability is a relationship based on the provision of information about performance 'from those who have it to those who have a right to it, because they have the power to reward, sanction and a right to know' (Dwivedi, 1994:6) . Accountability entails agent's responsibility to inform and the principal's responsibility to demand information about performance.

Sanctions form an essential dimension of accountability. Accountability becomes weak if it is confined to the corridors of exposure of wrongdoing of public officeholders. It is the enforcement aspect that gives weight to the concept.

The notion that a breach of rules or negligent of duties is punishable configures this dimension of accountability. Actors to whom public responsibility has been entrusted would not only be questioned for their actions and behaviours but more importantly be punished for improper conduct and misdeeds. In the same vein, it presupposes that officers who distinguish themselves in their services are rewarded. Apart from getting public praise and commendation for good conduct, reward may take the form of promotion in official positions. Romzek (2000) and Trow (1996) supplement these definitions with the question: who is to be held accountable, for what, to whom and through what means?

Any plausible answer to the above questions would involve a careful examination of the varying forms and shapes that accountability takes. A review of the literature

reveals complex classifications of accountability because different forms of accountability rely on different enforcement mechanisms (Schedler, 1999a: 22 - 23). Dwivedi (1994) identified eight (8) forms of accountability, namely: moral, administrative, political, managerial, market, legal, constituency relation and professional. Romzek (2000) offers the most comprehensive framework for analyzing types of accountability relationships. She identified four basic types: professional, administrative, legal and political.

The last three are the types that are commonly found in elected local governments in most developing countries and these will direct the study. In Ghana, there has been a movement from professional to political accountability as the central government endeavors to 'steer from a distance' (Marceau, 1993), allowing local government units greater autonomy while at the same time making them more accountable. Political accountability system reflects a situation where the individual or agency has substantially more discretion to pursue relevant tasks and the review standards, when they are invoked, are broad and weighty (Huisman and Currie, 2004). Political accountability relationships encourage officeholders to be responsive to the concerns of key interest groups such as the electorate. On the other hand, administrative and legal accountability systems are reflected in work arrangements and established judicial frameworks that allow individuals to base their decision-making and actions on internalized laid down rules and procedures (Dwivedi, 1994; Olowu, 1999).

Moncrieffe has further distinguished between the *Ex-ante* and *Ex- post facto* forms of accountability. The former is based on the concept of representation. As O'Donnell observed, 'representation entails accountability: somehow representatives are held "liable" for their actions' (O'Donnell, 1996:100) . The Ex-ante type works on the principle that in order to act effectively in the citizens' interest, public officeholders must know what the interest of the people is and act to satisfy that interest (Moncrieffe, 2001:27). Whereas it is difficult to define precisely the interest of the citizens, the obligation to discharge basic social responsibilities – welfare needs for the electorate remains clear.

One objective that defines ex-ante accountability is the guarantees of rights and freedoms of the citizens. In democratic polities, citizens' ability to monitor performance of their representatives largely depends on their access to information and knowledge of the activities of the elected. These can be bolstered by independent media and the judiciary. In order to keep power from running wild, established mechanisms must support citizens' participation in discourses of policy choices and their outcomes (Schedler, 1999a). Consultation and the use of feedback mechanisms will assure the citizens that their interest will reflect in policy decisions (Moncrieffe, 2001).

However, developments in some nascent democracies in Africa and Latin America where authoritarian practices continue to manifest in both local and national governance create difficult conditions for disciplining holders of public office because of their extreme loyalty to the regimes. Moreover, control of the media, widespread corruption and subtle curtailment of citizens' rights and freedoms that are gradually becoming a feature of post-democratization politics of Africa and elsewhere is poisonous to accountability Ex-ante (Diamond, 2005; Gyimah-Boadi, 2004a).

On the other hand, the latter, *Ex-post* accountability refers to holding elected officials to account through the law, other monitoring and sanctioning mechanisms and ultimately through elections. This comes into sharp focus when consequences flow from actions or inactions that are generally considered to be deleterious to the polity or citizenry (Gregory, 2007:340) . This often occurs in representative democracies where citizens hold judgment over their representative through periodic elections. Where the election is competitive, 'free and fair', it serves as the means through which an unsatisfactory conduct or behaviour of an elected official is rejected and replaced with favourable alternatives (Moncrieffe, 2001:33) . It is assumed that by compelling representatives to answer for past actions via elections, they will be more obliged to fulfill their present responsibilities.

Sustainability of this system also depends on citizens' access to information by which they are able to scrutinize and impose appropriate punishments on their representatives. Vibrant media, free flow of information and independent appraisal mechanisms would further strengthen the citizens' watchdog role (Diamond 2005). But incumbents' electoral manipulations, curtailment of information flow through media censorship and corruption in high places and maladministration of justice may possibly thwart the citizens' ability to enforce accountability (Mosaffar, 2002).

Some scholars have further identified horizontal and vertical forms of accountability. The horizontal type runs across a network of relatively autonomous powers – institutions that can call into question, and conventionally punish improper ways of discharging the responsibilities of public officials (O' Donnell, 1996:100). It describes a relationship between equals in which somebody or an institution of equal power checks the activities of other agents of government (Schedler, 1999a: 23). The effectiveness of horizontal accountability is largely a function of the autonomy of the monitoring agencies or institutions. This means that the "agencies of restraint" must be "legally enabled and empowered" to enforce compliance with the rules (Schedler, 1999a; O'Donnell, 1999).

Since the system depends on a combination of values and beliefs of officials and networks of institutionalized relations and those relations could be mobilized to impose punishment, it encourages rational actors to calculate the likely costs when they consider undertaking improper behaviour (Gyimah-Boadi, 2004b). Despite this, the application of the horizontal accountability faces

dangers. For instance, "agencies of constraints" may be rendered ineffective by some state operatives on grounds that they are an 'unnecessary encumbrance to their mission' (O'Donnell, 1996:101). Yet 'there is no way to bypass the centers of state power; unless they consent to institutionalize "self-restraint", the road to horizontal accountability is blocked' (Schedler, 1999b: 339).

Thus because of widespread weaknesses of state institutions in most developing democracies, horizontal accountability must be buttressed by strong vertical accountability. According to Schedler (1999a), vertical accountability describes a relationship between unequals – a powerful (superior) actor holding some less powerful (inferior) actor responsible. In a well functioning democracy, the government is subject to citizens' controls. It therefore includes citizens' checks enforced through the electoral process or indirectly via civic organizations (civil society) or the news media (Schacter, 2000:4). Even in modern bureaucratic organizations, higher-ranking officials control the activities of their subordinates. The fear that citizens will punish officeholders for failing to fulfill statutory obligations causes governments to take seriously the perils of failing to sustain horizontal accountability (Schedler, 1999b:334).

Trow (1996), more explicitly points to the usefulness of accountability. He maintains that accountability is a constraint on arbitrary power, and would discourage fraud and manipulation, and ultimately strengthen the legitimacy of institutions that are obliged to report to appropriate groups. The claim has been made that accountability sustains or raises the quality of performance by forcing those involved to examine their operations and to subject them to critical review from outside. The practice can be used as a regulatory device through the kind of reports and the explicit and implicit criteria to be met by the reporting institutions or officers. As a consequence, accountability creates and enforces rules of corporate governance thereby avoiding conflict of interest and ensuring prudent and competent discharge of public trust and fiduciary duties (Gyimah-Boadi, 2004b:5). Accountability is therefore crucial for inducing agents' effectiveness and responsiveness to the people thereby generating systemic legitimacy.

METHODOLOGICAL APPROACH

The source of data for this paper is drawn from field interviews combined with desk research. The researcher gathered qualitative data through in-depth interviews with respondents of varying backgrounds from four diverse districts using the simple random technique. These districts were Mfantseman East (ME) in the Central, Ho central in the Volta, Abokobi in the Greater Accra and Gonja East (GE) in the Northern regions. The selected districts, however, reflect rural and peri-urban complexion. The first two districts are urban and the last two are rural, based on the Ministry of Local Government and Rural Development (MLGRD) classifications. The ME and Ho Central are old districts with relatively adequate basic infrastructural services such as telecommunication, education, electricity, among others. Abokobi and GE lag in social infrastructure – there is the lack of portable water, good road networks,

efficient telecommunication networks, banking facilities and so forth. Similarly, the ME and Ho Central are slightly ahead of Abo-kobi and GE in terms of the rate of literacy, socio-economic acti-vities of the people, and levels of poverty. Indeed, whereas the former districts can boast of relatively well established educational institutions and privately owned businesses, there are no endowed schools or progressive private firms in the latter districts.

It is important to emphasize that this research is not a comparative study because the researcher did not control the sample of individuals and groups, or the interview to enable a statistical or explanatory comparison of the findings. However, a similar set of participants were chosen in each of the districts and asked a similar set of fifteen questions about governance, accountability, competition, power relations and infrastructural developments, ending with a few questions regarding the role of the DAs and assembly members and the future of Ghana's decentralization. This allowed for the observance of similarities and differences in the trends that existed from 1993 to 2008.

The field work took the form of face-to-face interviews almost entirely by the author, ensuring consistency in questioning and depth of probing between October 26 and November 25 2008. One hundred and fifty (150) respondents were randomly selected from the four districts for interviews. The sample included fifty (50) elite respondents identified as senior public servants in the Ministries, Departments and Agencies (MDAs), educationists, Lawyers, Clergy, Traditional Rulers, District Chief Executives (DCEs), Mem-bers of Parliament (MPs), Assembly Members and officials of the DAs; and hundred (100) mass respondents – ordinary citizens – unemployed, those with low educational attainments, fishermen /women, farmers, petty traders, artisans and students.

Information gathered through the field interviews were supplemented with desk research from the Electoral Commission (EC), MLGRD, research-based civil society organizations and Non-governmental Organizations' (NGOs) documents as well as published and unpublished scholarly materials – that were screened and used in the analyses to arrive at dependable conclusions.

The context of local government in Ghana

The practice of devolving power from the centre to the periphery (sub-national units) has been an enduring feature of Ghana's decentralization and democratic governance since independence. However, since 1993, there has been an increased demand for more transfer of power and responsibility to local government units. The essential notion is that inhabitants of a given area have the right and responsibility to make decisions on those issues that affect them most (IDEA, 2001:11). Local community participation is argued to be the cornerstone of modern notions of citizenship because its institution and decision making procedures would largely allow for a more direct form of democracy in which the voices of ordinary people can be heard more easily. Other advocates contend that unlocking the virtue and intelligence of the populace at the grassroots level would foster good government and promote social capital – trust, social networking and reciprocity (Putman, 1993). This is because, local democracy tends to enhance good relations among the citizens, build a community that is self-reliant, public-spirited and group cooperation and solidarity.

Pre-1993 political reforms included the idea of empowering the people to participate in the decision making process at close rage. To this end, the government of the Provisional National Defense Council (PNDC) created 'revolutionary' organs called People's Defense Committees (PDCs) and Workers Defense Committees (WDCs) with a mandate to make decisions in the communities and work-places respectively. Whereas the WDCs were organized in the urban 'industrialized' areas to take an active part in decision making at the state organizations, the PDCs operated at the rural level to link the regime with the grassroots. Eventually, they became the cadres that implemented the 'socialist' policies of the PNDC

(Ayee, 1994:106).

The 'people's democracy' failed because its implementation revolved around pro-PNDC agents whose activities antagonized the elite in the society – the cadres abused the rights of the ordinary citizen, engaged in extortion and corruption. These negative developments helped to dissipate the enthusiasm for securing effective and participatory local government (Ayee, 1996: 32). While the WDCs ousted managers from their offices, the PDCs pursued personal vendetta thereby discouraging even the masses from taking part in community activities. Attempt to secure legitimacy for the regime through the Committee for the Defense of the Revolution (CDRs) proved more disastrous for the PNDC (Ahwoi, 2006).

Although the CDRs were supposed to be the instrument of grassroots participation in decision making, they were not able to provide effective leadership to the local populace. Due to the financial difficulty that confronted the regime, particularly, in 1993, the CDRs could not provide the needed material support to the rural communities in order to enhance political mobilization (Oquaye, 1995). The more debit side of the popular participation project was that the transfer of power to the grassroots only helped to augment the dominance of those who, because of status, were already powerful at the local level. The Ghanaian scenario confirms Griffin's observation:

…power at the local level is more concentrated and applied ruthlessly against the poor than the centre. As a consequence, greater decentralization does not necessarily imply greater democracy let alone power to the people (Griffin, 1981:225).

Notwithstanding the failed effort to legitimize the PNDC through the WDCs, PDCs and CDRs the regime promulgated the PNDC Law 207 in 1988 to give meaning to the District Assemblies (DAs). Unlike the WDCs, PDCs and CDRs, the PNDC believed that the DAs offered the most appropriate platform for mobilizing grassroots support for the regime, and also the arena for enforcing popular accountability (Republic of Ghana, 1988). A more radical view of the DAs posits that their creation was politically strategic. That is, the PNDC hoped to use the DAs to perpetuate itself in power. According to this view, the DAs were to be constituted into electoral colleges to elect the leader of the 'revolution' as the president through popular acclamation. This approach was intended to circumvent the liberal democratic process where political leaders are chosen via the ballot box and in many cases on parties' labels (Oquaye 1995).

Indeed, the DAs were part of the legitimization and self-entrenchment design of the PNDC because, eventually, the elected assembly members, mostly, cadres of the 'revolution' served to promote the interest of the PNDC. This was carefully done through measures in the PNDCL 207 that ensured that the grassroots leaders were directly brought under the control of the regime.

Hence whether it was the District Chief Executive (DCE), the elected or appointed members of the DAs, the PNDC placed them under central controls. Not surprisingly, the grassroots leaders were those the PNDC manipulated to serve its political ambition during and after the transition to democratic rule in 1992. For instance, 117 assembly members were appointed to the Consultative Assembly by the PNDC to participate in the review of the draft 1992 Constitution. They were among those forces Rawlings counted on to win the 1992 elections and subsequent ones (Ayee 1996).

The populist local government system advocated by the PNDC lasted 5 years (1987-1991) when it was pressured by domestic forces and their Western collaborators – international financial donors, to democratize in 1992. The transition to multiparty rule was heavily influenced by the philosophies of the PNDC government. For instance, Chapter 20 of the 1992 Constitution titled, 'Decentralization and Local Government' and the Local Government Act 1993, Act 462 are a reproduction of the PNDC Law 207 that gave birth to the DAs in 1988. Thus the policy continuity syndrome which

defined Rawlings' 1992 political campaigns ensured that participatory, development and accountability functions and other essential features of the PNDC DAs were invoked verbatim for the content and objective of the post -1992 local government and decentralization policy in Ghana. Arguably, the new local government system is reminiscent of the technocratic-centralist nature of the state under the PNDC (Ayee, 1996:33-35).

The new district assemblies (DAs)

The current District Assemblies (DAs) were created in line with Article 240 of the 1992 Constitution. The Local Government Law, 1993 (Act 462) made DAs the highest political authority in the district – and exercise deliberative, legislative and executive powers. The DAs have been designated development and decision-making bodies to give meaning to popular participation at the local level. To this end, they are mandated to provide guidance, give direction to, and supervise all other administrative authorities in the district; formulate and execute plans, programmes and strategies for the effective mobilization of resources necessary for the overall development of the districts (Republic of Ghana, 1993:13). But the ability of the DAs to perform these functions – translate the popular wishes into reality largely depends on the amount of autonomy they possess. Hence arrangements exist in the law for the transfer of not only financial resources but also power from the central government to a mixture of elected and appointed local representatives of the people.

Structure and composition of the DAs

In Ghana's local government system, the DAs are at the pinnacle of the district administrative structure. The law designates three categories of DAs, namely Metropolitan which covers a land size with a population of 250,000; Municipal (one town assembly) with a population of 95,000; and a District whose population is 75,000 inhabitants. In order to enhance effective local participation in decision making, each Metropolitan, Municipal and District Assembly is divided into sub units: the Metropolitan Assemblies (MAs) are four-tiered and the Municipal and District Assemblies are three- tiered. For instance, MAs are divided into Sub-Metropolitan District Councils, Town and Unit Committees (UCs); and Municipal and DAs are sub-divided into Zonal, Urban/Area Councils and UCs respectively.

An important figure on the DAs' structure is the District Chief Executive (DCE) – an appointee of the President of the Republic of Ghana and the chief representative of the central government in the district. The DCE is the chairman of the Executive Committee (EC) of the DA, and presides over its meetings. He is responsible for the day-to-day performance of the executive and administrative functions of the DA, including supervising all decentralized depart-ments in the district (Republic of Ghana, 1993: 18).

Popular representatives drawn from each electoral area in the district, and elected directly on the basis of universal suffrage occupy a pivotal place in the DAs. In order to foster local harmony and protect community unity and solidarity, the election of the local representatives called assembly men and women are organized on a non-partisan basis. These elected members constitute 70% of the membership of the DAs. The other 30% members of the DAs are chosen by the President after holding consultation with existing traditional authorities and other identifiable interest groups in the district.

The justification for the appointment of 30% of the membership of the DA is that, it allows for persons with expertise in several fields to be appointed to strength the capacity of the DAs. Experienced and retired bureaucrats with particular competencies in administration, accounting, education, engineering, among others, would place their expertise at the disposal of the DAs in order to advance the

course of local governance. Similarly, the interest of disadvantaged minorities and special groups could be considered in the appointment process.

The Member of Parliament (MP) from the constituencies that fall within the area of authority of a DA is one of the key figures of the DA. As the representative of the constituency at the national front, the MP is an ex-officio member of the DA. His membership of the DA is important because it enables him provide insight into the decision making process without usurping the rights and authority of grassroots representatives. The provision to stay him out of the voting decision of the DA is steeped on the need to prevent conflict between the local and constituency representatives over the exercise of community decision-making power.

The *ex-ante* accountability in the DAs

The fundamental question to engage our attention is, to what extent has the *ex-ante* accountability worked out in the DAs? We focus the discussion on the claim that elected representatives ought to avail themselves to the electorate through frequent interaction, consultation, mobilization of local opinions/demands, among others (Moncrieffe, 2001:31). To be sure, the legislation that created the DAs provided for *Ex-ante* accountability. Article 16 (1) (a) stipulates that:

> A member of a DA shall … maintain close contact with his electoral area, consult his people on issues to be discussed in the DA and collate their views, opinions and proposals (Republic of Ghana, 1993: 16).

The assembly member is further expected to present the views of the people to the DA; attend sub-committee meetings of the DA; and meet the electorate before any scheduled meeting of a DA. The requirement for the assembly member to organize regular meetings, hold consultation with the electorate and collate joint opinions is paramount for the survival of the local government system that is pivoted on participatory democracy. The legal proviso seeks to enforce compliance of the duties of the assembly member to the electorate, thereby minimizing any possible abuse of power and authority of the elected (Dwivedi, 1994:54).

The periodic interactions of the local representative with the electorate in his community has the prospect for building confidence in the people's representative and the system from which he derives his authority, as well as fostering a bond of solidarity, that eventually translates into massive popular participation in the local decision making process (Most elite respondents think that frequent interactions between the elected and electorate can limit individualism and personalism and rather increase *esprit de corps* that is needed for the development of the local communities). The platform of consultation will also enable the populace to check the trustworthiness of the assembly member's stewardship, behavior with procedural regularity, and above all, his ability or willingness to exercise community reflective judgment about matters of common concern (Gregory, 2007:342).

However, given the central political influence over the DAs through the activities of the DCEs, Presiding Members (PMs) and the appointed members (Ayee, 2008), the DAs have had the latitude to adopt and sustain a largely authoritarian approach to decision-making. Reviewing the performance of Ghana's DAs in an earlier study, Ayee (1996) recorded the abysmal performance of the assembly members, particularly the lack of consultation with the electorate. Field evidence from this study confirmed the claim that two (2) out of ten (10) elected assembly members met their constituents on local matters and concerns (Our field interviews indicated that for every ten (10) assembly members, two (2) hold infrequent consultations with their communities. Further checks revealed that a majority of them have not organized a single forum to discuss community concerns). Consequently, most policy

decisions taken by the DAs between 1994 and 2008 were initiated and formulated by the leadership of the DAs (Trends in structure of local decision making show that at any time in the life of the current DAs, the DCE, PM and other strong activists of the ruling party in the districts are the decision makers). The plain truth is that important community decisions have been made without consultation with those likely to be affected by the decisions. Although motley groups and interests could be found in the communities, decisions with far reaching consequences for the ordinary residents of the electoral areas were announced before affected interests had the opportunity to express their reactions (Moncrieffe, 2001:40).

This means that for those who did not have personal contact with local decision makers such as the DCE, PM or MP, and those who had no access to the corridors of decision making in the DA, the lack of consultation limited the opportunity for them to influence policy outcomes in their community. The non-holding of direct consultation through community-organized forums was a calculated strategy by the assembly members to 'escape the wrath of the electorate (More than half of elite interviewees expressed similar views), that is, not to be accountable to the voters. Of the 1,500 respondents in the 2002 survey carried by the Department of Political Science, more than 2/3 (1,360) claimed that they had not seen or heard from their assembly member since the last district level elections in 1998 (Amponsah and Boafo-Arthur, 2003).

Result from this study lowers the scale further. Only 30 as against 120 respondents said they had a regular contact with their assembly members. The majority chided their representatives for not making themselves available except when it was time for election and renewal of mandate. Even of the 30 that gave a positive account of the assembly members' performance, 22 were their family relations. This reflects a general trend toward circumventing the power of the people to ensure that local leaders would be unaccountable (These sympathizers of the assembly members were either friends, neighbors who have shared religious faith or family relations).

A salient issue central to this study was the extent to which the assembly members represented their communities' interest on the floor of the DAs? Evidence from survey indicated that effective popular representation was constrained because the channels for the people to put across their concerns were deficient. The number of respondents who expressed doubt about whether their representatives served their common interest gave an alarming result. On whether development projects that were undertaken satisfied the common good, an overwhelming 85% of respondents indicated that their assembly members executed projects that went against their demands. A classic case was the construction of market sheds for a number of communities in the four districts that were at variant with the popular choice of pipe-borne water (A recurrent complaint expressed by more than 80 of the mass respondents was that their assembly members have acted against the popular interest regarding the selection and construction of community projects).

But a majority of the assembly members held a contrary opinion: they claim that 'the expectations of the people have changed from democratic representation to personal financial favours (Almost all the elected assembly members lamented over the incessant financial demands the electorate make on them. There is pressure on them to pay school fees, utility bills, etc as has been the culture in national politics). Most local electorate expect their assembly members to pay school fees, give out 'chop' money, attend funerals, church harvests and make big monetary contributions, and provide virtually all the socio-economic needs of the people (Most elite respondents made similar observations and concluded that the monetary harassment is alarming, and remains one of the biggest threats to the survival of decentralization and governance in the 4th Republic). This way, important community issues seemed subsidiary to the list of priorities the local people demanded from their representatives. The logical explanation was that acute rural poverty coupled with the culture of patronage had reinforced

perception about the responsibility of the local representatives toward the electorate.

The withdrawal of the assembly members from their community therefore hinged on the growing financial demands the people make on them. This development threatens the survival of the DAs system that had been built on the concept of self-government and popular democracy by which people at the local level choose their representatives to forward their community's needs for redress. Part of the problem lied with the representatives who made unwarranted campaign promises to the electorate in order to get elected. In all the district assembly election (DLE) campaigns, prospective candidates openly dolled out money to their supporters in order to guarantee their victory – a practice that raised high the hopes of the electorate (Opinion expressed by some elite respondents on 'money in local politics').

The *ex-post* accountability in the Das

Ex-post accountability is the type of accountability leaders owe to their followers, public officials to taxpayers, and political office-holders to the electorate. Conventionally, it is secured through a system of election campaigns, and elections that result in making officials hold their offices at the pleasure of voters (Gyimah- Boadi, 2004b:6). Through referenda the electorate may also recall errant or non-performing elected officials. The framework for holding elected local representatives answerable for their conduct to the electorate is firmly established by the Local Government Act, 1993 (Act 462).

First, the law empowers the electorate to revoke the mandate of their assembly member on any of the flowing grounds: when they canvass support or contest election to the DA on a political party's platform (because local government election in Ghana is a nonpartisan contest); if they fail to disclose any financial interest they have in a contract which is brought before the Assembly for consideration; and if they absent themselves from more than three conescutive ordinary meetings of the Assembly without a written permission of the PM of the Assembly (Republic of Ghana, 1993:11).

Most elite interviewees explained that some of the active electorate constantly keep an eye on their assembly members by following their conducts, behaviours and overall performance with a view to impose sanctions where appropriate (More than 2/3 (37) of elite respondents attested to the fact that the most active electorates watch over progress of activities of their assembly members even if they do not hold periodic forums to defend their stewardship). The DLE that is held every four years represents the most legitimate and practical means of holding the assembly members to account for what they have done during the period. The election periods were a 'judgment day' for the assembly members. They knew that their continued stay in the DA largely depended on how the electorates perceived their activities satisfactory. The local campaign platforms were occasions for representatives to justify their actions. The elections and bye-elections indicated to the assembly members that their powers were limited by the people's voting decisions at the polls. In the exercise of checks against the powers of the local leaders, not only did the electorate lean on the legal provisions but also by the logic of public reasoning and morality.

Generally, only the mandates of 'the humbled servants of the people were renewed (This was a recurrent response to the question whether morality was an important consideration for the choice of community leaders?). Thus those perceived as non-performing incumbent elected members – that is, those viewed as recalcitrant, arrogant and disrespectful rather than those whose sins revolved around the non-fulfillment of electoral promises were punished at the district polls (This was a recurrent response to the question whether morality was an important consideration for the choice of community leaders?). Consequently, volatility rate for incumbent assembly members was high and reflected a pattern of 'effective' imposition of sanctions by the electorate. On the average, six (6) of ten (10) assembly members interviewed said they failed their bid to renew their mandates with the electorate. As a result, there was a significantly high rate of new entrants to the DAs every four years. Approximately, 65% of the elected Assembly Members interviewed had won their seats as fresh members to their respective DA.

On the other hand, for a number of the interviewees, solving the people's developmental needs and upholding the moral and social integrity of the office of the Assembly Member were not important in the assessment of the performance of the representatives. They claimed that in the face of dwindling financial resources that reflected general economic downturn at the national front, it was just unfair to punish local leaders for not bringing development to their communities (This view was shared by most of elite respondents throughout the four districts). Therefore incumbent Assembly Members perceived as absentee-representatives because they hardly held regular consultations or interactions with their constituents were punished rather than those who failed to deliver on their electoral campaign promises or the morally bankrupt. 67% vis-à-vis 33% of elite and mass interviewees confirmed that they voted against their incumbent Assembly Members because they had not seen them since the last local government elections. The electorate regarded representatives who refused to dialogue or consult with them as in serious 'violation of the social contract'.

Despite the use of voting as an effective mechanism for disciplining local leaders, there were many challenges that faced the application of the ex-post facto accountability in the DAs. One weakness related to the apparent unwieldy legal procedures for holding local leaders to account. Existing provisions in the law, Act 462 detailed a complex procedural approach for disciplining a local representative: these are;

(i) For the purpose of revoking the mandate of an elected member of a DA, 25% or more of registered voters in the electoral area may petition the Electoral Commission (EC) for the member's recall from the Assembly.
(ii) On receipt of the petition, the EC would proceed to organize a referendum to decide the issue whether or not such member must be recalled.
(iii) The issue of the referendum is decided by at least, forty (40%) of the registered voters in the electoral area, and sixty percent (60%) of the valid votes cast are required to effect the member's recall (Republic of Ghana, 1993:12).

Because of the cumbersome legal procedure one has to go through to remove a non- performing Assembly Member, the electorates have shunned the use of recall and signing of petitions to remove their local leaders. The non-application of these tools to discipline local leaders meant that non-performing assembly members had remained in office for the four-year period before being removed by the ballot box (This insight was volunteered by three elite respondents in Salaga in the GE district). Only in two instances were three elected members challenged for illegalities. Even in those situations the issues were more about rules of qualification as stipulated under Section 6 (1) (d) of Act 462 that relates to non-payment of taxes than on procedures for recall of an errant Assembly Member. In the candid opinion of some mass interviewees, (37%) as against 63%, 'in predominantly rural peasantry communities where people are preoccupied with petty trading, farming and other micro-income generating activities, they have aversion for delays (Opinion expressed by a majority of elite and mass interviewees). But the claim by minority interviewees (23%) that the phenomenon is attributable to illiteracy was rebutted. Instead 77% of respondents blamed it on the absence of vibrant voluntary civic organizations in the districts to instigate civic values in the population (Although a number of NGOs have pitched camps in the four districts, their

activities concern more of helping to improve the economic conditions of the people than sensitizing them on civic engagements).

A major factor that undermined accountability in the DAs was that the appointed Members of the DAs demonstrated total loyalty to the President through the DCE rather than to the local people. This meant that they could not be removed by the people. Even where there was a *prime facie* case against an appointed member by the local citizens disciplinary action such as revocation of appointment rested with the President. It was noted that the practice where the elected members were sanctioned by the electorate and the appointed members were disciplined by the President – who was far removed from the locality where the Assembly Member performed his functions, made mockery of the much popularized notion of accountability as the cornerstone of the DAs. This situation only reinforced the perception that accountability of the local representatives to the electorate was weak because the Assembly Members were controlled by powerful central political forces (More than 2/3 (82%) of both elite and mass respondents intimated that central political influences over the DAs' activities have weakened accountability of the assembly members to the electorate).

Effective oversight requires open flow of information and citizens' access to it, so that the local citizens monitoring their leader can discover facts and mobilize evidence against the representative (Diamond, 2005:8). However, survey report showed that the citizens' access to information was extremely difficult. Obtaining information about public office holders deepened the frustration further. This problem was complicated by information asymmetry that favored media anchors, the rural and urban elites, and big- time politicians because of power and resources they could muster. The ordinary poor local citizens were the sufferers.

Although since late 1990s the media liberalization policy has witnessed an increased number in sub-national private radio stations, controlled dissemination of information by media owners and anchors have starved the local citizens of the right community information. Because users of the media pay for the information they advertise, the poor local citizens were not able to use the media outlets to deal decisively with erring Assembly Members. Nevertheless the few local state FM stations have offered channels for the electorate to expose their leaders howbeit limited the impact on community accountability.

Accountability as performance reporting

The most straightforward interpretation of the accountability concept in respect of the relationship between the DAs and local office holders appeared to be that of performance reporting: a periodic account of roles, assignments, targets set at the beginning of the year and attainments of objectives set in prior policy decisions by officials of the DAs. In Ghana's local government practice, community accountability has traditionally focused on certain objectives such as provision of basic services for the communities. More recently, the objectives have been broadened to include intentions to improve overall community health, education, water, electricity, toilets, road networks, markets, farm inputs and access to credit (soft loans) (Both elite and mass interviewees were in agreement regarding the list of objectives that are to be accomplished by the DCE and DA members) as measures to reducing poverty in the communities.

The relationship between the DCE and officials of decentralized departments of government is well defined by law: the DCE is responsible for the supervision of the departments of the DA (Republic of Ghana, 1993: 18). Historically, this has been based on a clear cut hierarchical relationship between 'centers of responsibility and units where such commands from superiors are acted upon' (Dwivedi, 1994:54). To be sure, the hierarchical relationships in the DAs have been well cut out in the form of formally pronounced organizational rules and defined networks of linkages. Priorities

determined by the DAs were expected to be followed by the various departments. The DCE exercised supervisory controls over them on behalf of the DA. Any disregard of the DCE's commands and orders attracted sanctions in the form of informal reprimand and written queries depending on the grievousness of the offense.

The result indicated a partial application of supervision and control mechanisms by the DAs. Heads of departments issued regular reports to the DCEs regarding the operational activities in their units. Indeed, the DCEs' ability to submit comprehensive accounts to the DAs was largely determined by the reports obtained from the departmental heads. The compliance with the DCEs' administrative directives/orders determined the content of their annual and interim reports they forwarded to the DAs (This answer runs throughout the responses given by the 4 DCEs in the districts). The District Education and Health Directors were among the officials closely monitored and controlled by the DCEs because of the importance of those sectors to the overall development agenda of the DAs. The District Directors of Education and Health were persons attacked by the DCEs whenever basic schools' results were abysmal and health systems failed in the districts (The District Directors of Health and Education recounted the amount of pressure brought on them by the DCEs whenever there were system failures in their units). This practice agrees with the view that 'accountability is most easily grasped when viewed as a policy demand by responsible officials for regular and mandatory reports of results achieved or otherwise' (Lessinger, 1970:33).

Despite these, there were serious limitations on the administrative accountability practices in the DAs. If accountability is viewed as performance reporting, at least two serious questions can be raised. First, there was a tacit assumption that there should be unanimity on the objectives of the various units such as health and education, and that information subordinates provided to their superiors ought to be useful to all people in the community. Yet, no credible evidence was established to the effect that the information the unit heads provided to the DCE satisfied the varying perspectives in the districts. As some elite interviewees rightly observed, 'it was not clear that the heads of departments truly represented the views of a large number of groups whose priorities were inherent in the health and educational issues they sought to address (More than half of elite interviewees expressed doubt that reports given to the DCE by the district departmental heads served any useful purpose (even though there were exceptions).

Second, an important question raised by accountability as performance reporting in the survey was how the mere provision of information by the unit heads to the DCEs provided solutions to existing problems that faced the districts? Although data on performance were necessary for assessing the socio-economic proficiencies of the DAs, it was difficult to establish how such information *per se* alleviated observed deficiencies in the various units in the districts. For instance, the provision of information on the relatively poor education results did not alter substantially the educational plight of the basic school pupils (The interviewees gave their candid opinions on the effectiveness of the official reporting mechanisms in the DAs).

Third, we observed that heads of departments have escaped the DCEs' 'brutality' once they could prove that the administrative orders were not clear enough for implementation, and the corresponding financial resources were not adequate, or released at the last hour, or not transferred to them at all (Claims made by almost all the Heads of Departments in the 4 surveyed districts). Also in the context of increasing administrative complexity and logistical constraints, it was difficult for the DCEs to pinpoint exactly the perpetrators of administrative errors in the various units.

Whereas the unit heads were disciplined by the DCEs, they in turn were subjected to the scrutiny and checks by the DAs. For instance, two-thirds majority of the DA members confirmed the nominations of the Chief Executives of the districts. The yearly development plans and budget proposals of the Executive

Committees (EXCs) of which they chaired were placed before the DAs for approval. The DCEs were given sufficient latitude to perform their tasks – to determine the public interest and suffered consequences once sufficient grounds were established that their actions and behaviours were reprehensible. The law made room for their impeachment: 'not less than two-thirds of all the members of a DA may pass a vote of no confidence in the DCE' (Republic of Ghana, 1993:19). This method of accountability resonates with the notion that when things go wrong, 'heads should roll' (Gregory, 2007:342).

However, the practical application of the control mechanism over the DCEs was problematic. First, the functions and powers performed by the DCEs put them over and above all other persons in the districts: they Chaired the powerful EXCs (the nerve centers of the respective DAs); the chief representatives of the central government in the districts; and the liaison between the centers and districts who communicated local decisions to the central government and vice versa. Second, because the President appointed the DCEs, they pursued his political interests in the districts and behaved as his servants rather than as agents of the local people and the DAs (Instead of submitting to the scrutiny of the DAs and the local electorate, the DCEs feel that they are answerable to their political master who hired them for their posts).

Another factor that weakened the DAs' influence over the DCEs was the power granted to the central government to create new districts, re-demarcate district boundaries, and determine district capitals. Central government manipulative schemes manifested in the appointment of party cronies as DCEs and withholdings of opposition MPs' share of the DA Common Funds for rural development (Some former New Patriotic Party (NPP) MPs in the districts claimed that before 2001, central government political maneuverings over the DCEs ensured that while they were in opposition, their share of the District fund for development was truncated) . As the allegiance of the DCEs and 30% appointed members of the DAs shifted from the grassroots to the centre, they invariably became political stooges struggling to promote central political interests rather than their communities' concerns. A majority of elite interviewees (74%) admitted that the actual source of accountability of the government appointees remain confusing because it is characterized by multiple layers of controls – the President and DAs, but the influence of the former dominates affairs.

CONCLUSION

The requirement for officeholders to be answerable is at the very root of representative democracy. Because of a possible power corruption, liberal theorists have argued that leaders should be placed under the control of the popular will so that the interest of the electorate may be satisfied in policy decisions (Olowu, 1999; Ayee, 1996). Only in the context of local election contests did the measure of popular accountability record any significant strength. Knowing that elections remained the practical instrument to discipline their local leaders, the electorate resorted to the ballot box to hold their leaders to account. Even if their representative in the DA would succumb to political influence to endorse the DCE and approve central government programmes without recourse to popular choices, the ballot box offered the opportunity to punish and reject their local leader.

In spite of these, the paper noted that the idea of accountability as answerability through formally prescri-

bed channels was too restrictive, and often did not connect well with the lived experiential reality of the elected local leaders. Several difficulties emerged: because local accountability was to be secured through administrative mechanisms that is, hierarchies, it became complicated to achieve. This was partly because the superiors found it extremely difficult to ascertain the veracity of the information provided by subordinates due to financial and logistical constraints.

Also, the inability of the central government to consider grassroots superior interests subverted local accountability. Given the variety of contexts in which the central government powers were exercised over the DCEs and other appointees, clearly central political interests subsumeed the popular local interest thereby making accountability of local leaders to the DAs rhetorical. Even where accountability really manifested in the DAs, the emphasis was more on the processes than outcomes. Hence rarely were sanctions applied because of political patronage and the rigidity of rules for disciplining both elected members and the DCEs.

Making accountability work in the DAs means a modifycation of the current legal regime. We need to concede that the central political influence on the DAs is a boundary constraint on the present effort to make the DCE more responsive to local socio-economic interests. A restructuring of the legal instrument to allow for popular election of the DCE would cut the 'invisible hand' of the central government from the incessant interference in local affairs. This means that an elected DCE would be removed by popular votes whenever he deviated from the locally determined aspirations. Similarly, if 'power to the people' concept is to materialize in terms of achieving democratic decentralization, the 30% members of the DAs currently appointed by the President must be elected by the electorate. This process will help place the most powerful figure in the district, the DCE, under popular sovereignty.

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