

UNIVERSITY OF GHANA
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SCHOOL OF SOCIAL SCIENCES

**THE RHETORICS AND REALITIES OF GHANA'S
ADMINISTRATIVE DECENTRALIZATION AND LOCAL
ACCOUNTABILITY**

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DEPARTMENT OF SOCIOLOGY
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DECLARATION

I do hereby declare that this work, with the exception of acknowledged quotations and ideas attributed to specified sources, is entirely my own, and that, it is the true record of the objectives set for the study.

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DEDICATION

This work is dedicated to Ernestina, my wife, and my children, namely Esther Abena-Nyamekye, Paul Kwasi Akotey, Kwaku Seth-Martin Akotey and Michael Kwabena Oheneba, who together provided me with one form of support or the other and motivation for the completion of the work.

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LIST OF ABBREVIATIONS

- ARIC** – Audit Report Implementation Committee
- BAC** – Business Advisory Committee
- BNI** – Bureau of National Investigations
- CBOs** – Community Based Organizations
- CDD** – Centre for Democratic Development
- CEPS** – Customs Excise and Preventive Service
- CHPS** – Community Based Health Planning and Services
- CSOs** – Civil Society Organizations
- DACF** – District Assemblies Common Fund
- DCDs** – District Coordinating Directors
- DCEs** – District Chief Executives
- DPCU** – Development Planning Coordinating Unit
- ECG** – Electricity Company of Ghana
- ECH** – Ethical Committee for Humanities
- EXECO** – Executive Committee
- GETFUND** – Ghana Education Trust Fund
- GPRTU** – Ghana Private Road Transport Union
- GSGDA** – Ghana Shared Growth and Development Agenda
- IGF** – Internally Generated Fund
- MCE** – Metropolitan Chief Executive
- MCD** - Municipal Coordinating Director
- MDAs** – Ministries, Departments and Agencies
- MLGRD** – Ministry of Local Government and Rural Development
- MMDAs** – Metropolitan, Municipal and District Assemblies

MTDP – Medium Term Development Plan

NADMO – National Disaster Management Organization

NALAG – National Association of Local Authorities of Ghana

NBSSI – National Board for Small Scale Industries

NDPC – National Development Planning Commission

NGOs – Non-Governmental Organizations

PNDC – Provisional National Defence Council

PNDCCL – Provisional National Defence Committee Law

PRCC – Public Relations and Complaints Committee

PVOs – Private Voluntary Organisations

RCC – Regional Coordinating Council

S/DMTDP – Sector/District Medium Term Development Plan

TMA – Tema Metropolitan Assembly

UNDP – United Nations Development Programme

UNICEF – United Nations Childrens’ Fund

ABSTRACT

Long before decentralization became a buzzword and fashionable in some countries in the 1980s, Ghana's search for, and attempts to take government closer to the people had been well noted and documented. In the late 1980s however, the Government of Ghana, initiated several legal and policy reforms that sought to bring climax to the long-standing dream of realizing a truly decentralized system. The new reforms establishes the Local Assemblies as the highest legislative, political and administrative authorities. After about three decades of implementing the new system, questions remain as to whether Ghana's decentralization is an exercise of rhetorics or reality. The questions that the researcher explored included: What administrative capacity do the Assemblies possess to plan, make and implement decisions to fulfil their core mandate, and do they have the discretion to manage their staff in a way that could best serve the interests of the people? Other questions were: Do the Assemblies possess the financial capacity as well as the autonomy to effectively carry out their decentralized functions as specified and envisaged by policy? Were Departments of the Assemblies, including the sub-structures fully decentralized and performing their roles, responsibilities and functions as specified by law? Are the decisions in the Medium Term Development Plans, Budgets and other programmes of the Assemblies and decentralized departments those of the local people and their representatives? The final questions are: Are the Assemblies accountable to the people? What concerns do key actors, other than the government, have about the nation's administrative decentralization and local accountability programme? Focusing the studies on three Assemblies, the researcher applied the interpretive paradigm with the constructivist view of social reality and the case study approach of seeking knowledge from the natural settings of the Assemblies. Participants in the studies, who also constituted the key actors in the decentralized

system included Presiding Members and elected Assembly members, Directors of sub metropolitan District Councils, and executives of Town, Area, Zonal and Urban Councils. The rest were executives of Unit Committees, Coordinating Directors, Development Planning Officers, Finance Officers, MMDCs, Internal Auditors, Local Government Inspectors and Heads of Decentralized Departments. Using interview guides, focused group discussions and detached observation methods, the researcher collected qualitative data from respondents in their natural setting at their communities, Assembly meetings, and Unit Committee levels. The researcher found, among others that, after three decades of implementing the most current decentralization system of the country, some of the key departments of the Assemblies including education, youth and sports, health and agriculture were still operating as deconcentrated bodies with only little supervision by the Assembly over them. Also, with the exception of two of the three sub-metropolitan District Councils of the TMA, all the Town, Area, Zonal, Urban Councils and Unit Committees within the three case study districts were inactive. In addition, the study established that some of the projects and programmes contained in the development plans and budgets of the Assemblies could either not be implemented at all or lagged far behind schedule due to three main factors. These are the inability of the Assemblies to mobilize sufficient internal revenue, failure of the DACF Secretariat to release funds on time to the former and central government engaging in unsolicited procurement of goods and services for the Assemblies, which led to huge deductions from the DACF allocations meant for the Assemblies. In addition, the Assemblies were found to be unaccountable to even the local legislature, much less to the people as required by law. The researcher also found that although almost all the structures within the Assemblies such as the General Assembly, Sub-committees and the Executive Committees were in existence , most of the important

decisions of the Assemblies were taken by the local executive under the direction of central government bodies and the ruling political party. The researcher has described the prevailing situation at the Assemblies, among others, as **local centralization**, a phenomenon that was possible largely with the active assistance by central government and the ruling political party for the purpose of protecting the subjective interests of government officials, party leaders and members as well as, of course, the local executives. The researcher concludes, inter alia, that Ghana's decentralization in its current form is an exercise more of rhetorics than real since there is considerable gap between the existing policies and actual practice. To address the current challenges and also close the gap between policy and practice, the researcher recommends, among others, that the constitutional provisions which mandate the President of the Republic to appoint Chief Executives for MMDA's should be amended to make room for popular election of MMDAs. Similarly, the researcher recommends that the appointment of 30% government appointees to the Assemblies must also be stopped.

CHAPTER ONE

INTRODUCTION

1. 1 Background and Introduction to Ghana's Decentralization

Since its maiden appearance in social and political discourse in the 1820s, and becoming a subject of much concern for Alexis de Tocqueville and Pierre - Joseph Proudhon in the middle of the 1880s (Schmidt, 2007), decentralization has become a subject of great interest to many from diverse backgrounds for varied reasons.

Furniss (1974:958-959) in Rees and Hossain (2010) observed thus:

“Decentralization is rapidly replacing God, country and motherhood in popular favour, the popularity of decentralization was due in part to its adoption by people from across the political spectrum including the revolutionary left, the utopian left, the reformist right, and the status quo right: All major shades of opinion seem to ascribe to decentralization's great powers of social and or moral regeneration. The counterpoint “centralization” is associated with most of the evils of the modern polity: delay, red tape, constraints on individual initiative, restraint of spontaneity”.

Similarly, Bardhan (2002) observed that the potential benefits of decentralization had attracted a diverse range of supporters from free-market economists who tend to emphasize the benefits of reducing the power of the overextended or predatory state, to social thinkers who are both anti-market and anti-centralized state, and who energetically support assignment of control to local self-governing communities.

The source of the popular appeal of decentralization may lie mainly in the fact that it provides some way out of the negative social, economic, political and administrative consequences inherent in the concentration of power, decision making and resources in the hands of a few within the body politic. In the 1980s in particular, many countries,

especially in the developing world, subscribed to decentralization reforms. "Since the 1980s decentralization and

Globalization are major topics in politics in most European and developing countries"(World Bank, 2001; BIZA, 1980).

In the context of the foregoing, it may not be difficult for one to understand the motivations of the general wind of decentralization that had blown over many developing countries including those in Africa and Ghana during the 1980s. Commenting on this trend, Cummings (2002) stated that decentralization had become a "*revolutionary megatrend*" in the 1980s. Conyers (1983; Ribot, 2002) referred to it as "*latest fashion*", while the United Nations Development Programme (1999) described the phenomenon as a "*trend*".

Although the 1980s witnessed a unique global interest in decentralization, Ghana's decentralization programme begun over a century and a half ago before it became a global trend and fashion. Schmidt (2007) for example asserts, "Ghana is unique among developing countries in the longevity of its decentralized government which was formally acknowledged in 1878"(p.22). Even before this time, in 1859, under the British colonial government, the Municipal Ordinance Act was passed which created municipalities for the coastal areas of the Gold Coast. Also, in 1943, a new Ordinance set up elected town councils for Accra, Kumasi, Sekondi - Takoradi and Cape Coast". In 1953, the Municipal Councils Ordinance was passed, only to be followed after independence, by the Local Government Act, 1961, Act 54 (Ministry of Local Government and Rural Development (MLDRD), 1996).

Since these pioneering efforts, several other attempts to develop decentralization were made before and after the country attained political independence in 1957. Despite the strong suggestions the assertions that Ghana's quest for decentralized governance begun even before most of the so-called economically advanced nations did, the results of all these efforts to decentralize never met the expectations of the Ghanaian. The popular dissatisfaction with the state of local government led to the establishment of several Commissions and Committees of enquiry that were tasked with the search for answers to Ghana's decentralization aspirations. In a report compiled by the Ministry of Local Government and Rural Development (1996) "the reports of these bodies made conclusive recommendations for the devolution of central administrative authority to the local levels". Foremost among the commissions and committees of enquiry were the Watson Committee (1949); Sir Coussey Committee (1949); Sir Sydney Philipson (1951); Sir Frederick Bourne (1955) and the Greenwood Commission (1957). The others include the Regional Constitution Commission (1957), the Akuffo-Addo Commission (1966); the Mills Odoi Commission of 1967 and the Constituent Assembly (1969). The reports concluded among others that: "in spite of the far reaching nature of the recommendations, most of which were accepted, attempts at decentralization could not materialize until 1974". Some of the weaknesses identified with the previous models of decentralization were: *undue centralization of decision-making powers, lack of accountability and participation of the local populace in governance, undue allegiance of local officials to their head offices rather than to the districts they were working in, and lack of electoral legitimacy of local representatives*, among others.

Because of the failures in the establishment of an acceptable form of decentralized system of government, the Rawlings' government, in 1982, embarked upon a new programme of decentralization for the country, which, like its predecessors, purported

to devolve powers, functions and resources down to the countryside. The key features of the current system included the devolution of decision-making and implementation powers and functions of central government to locally elected assemblies who would now be responsible for the development of their locality. These were to ensure that local governments would become participatory, inclusive, democratic, accountable, responsible and responsive to the needs of the people in the locality. According to Ahwoi (2010), the Provisional National Defence Council (PNDC) formally declared its commitment to decentralisation based on its political slogan of "Power to the People" with which it had ushered in the revolution of 31st December, 1982. "This commitment marked the transformation of the slogan into an administrative concept of decentralisation" (p.35). With the aim of transferring power, responsibilities and resources from the control of central government and its Ministries, Departments and Agencies (MDAs), the newly-created decentralized local government institutions and departments were to assume new powers and responsibilities with the necessary financial and human resources to perform most of the functions which were hitherto performed by central government departments.

To demonstrate further the nation's new zeal and commitment to decentralization, the Fourth Republican Constitution (1992) devoted Chapter 20 to decentralization and local government. It states, among others, that Ghana shall be decentralized as far as possible with the Assemblies serving as the highest political, administrative, legislative and executive body in the locality. Parliament was also mandated to ensure, through the passage of relevant laws, to transfer adequate powers, functions, responsibilities and resources to local governments to initiate, plan, coordinate, manage and execute policies in respect of all matters affecting the people. In line with the new powers, all central government departments, agencies and hence staff, must come under the

'effective control of local authorities' to whom they must also be accountable. To achieve such local control and accountability, local authorities themselves were mandated to provide opportunity for local citizens to participate effectively in their governance. (Act 240, clause 2a-e, Constitution of the Republic of Ghana, 1992; Act 462, Local government Act, 1993). For example, Act 462 (1993) provides as follows: *'Subject to this Act, a district Assembly shall exercise political, and administrative authority in the district, provide guidance, and give direction to and supervise all other administrative authorities in the district* (Section 10, clause 1).

Furthermore, under the Local Government Service Act, 2003, Act 656, and LI 1961(2009), the assemblies were empowered to oversee all departments of Ministries and Agencies within their jurisdictional area. The Departments were to be called Departments of the District Assemblies. As such, the plans, budgets and all other activities of the departments were to be integrated into those of the Assembly through the Composite Budget and Integrated Planning system. Heads of department were required to, among others, be answerable to the Assemblies through the District Coordinating Directors (DCDs) and the District Chief Executives(DCEs); submit quarterly reports to the Assemblies and also be responsible for the implementation of the decisions of the Assemblies(Sections 22, clause 2;Section 24 clauses a and b). To complete and also strengthen the nation's administrative decentralization programme, Town, Area, Urban Zonal Councils and Unit Committees were reconstituted and empowered by Legislative Instrument (LI) 1967 to perform delegated functions assigned to them by the Assemblies.

Finally, in 2010, the Government of Ghana once again developed a comprehensive decentralization policy titled: *Accelerating Decentralization and Local Governance for*

National Development. The policy, which also made provisions for monitoring and evaluating progress of Ghana's decentralization, sought among others, to clarify the conceptual orientation of Ghana's model of decentralization as well as provide a four-year action plan *'for a truly devolved local government system in response to the aspirations of Ghanaians'*. The policy emphasises again that 'the District Assembly is set up as a body corporate with legal personality which can sue and be sued and which can acquire and dispose of assets and other property'. They also have powers to make bye-laws, make and implement decisions, exact taxes and oversee all departments within the local jurisdiction (Government of Ghana, Decentralization Policy Framework, 2010).

While the foregoing initiatives may be commendable, one may still want to know whether these efforts and numerous constitutional and legal provisions have resulted in strengthening decentralized institutions by enhancing actual local discretion and control over decisions and accountability of local executives to the people.

1. 2 Statement of the Problem

Since the institutionalization of modern forms of decentralized local governments in Africa and Ghana, particularly after the mid. 80s, scholars from around the world have investigated the nature, depth and state of decentralization in Ghana and Africa in general. Some of the investigations included Ayee (2012) on the Political Economy of the Creation of Districts in Ghana; Amakye (2012) on Community Participation in Local Economic Development in Ghana; Akudugu, Fielmua and Akugri (2012) on Grassroots Participation in Local Governance in Bawku East and Adams (2012) on the debate on the mode of appointment of District Chief Executives in Ghana. Others included Moques, Benin and Godsway (2011) on the Effects of External Grants on

District Assemblies; Ahwoi (2010) on Ghana's Decentralization Policy; Chireh (2010) on the problem of different Interpretations of the Country's Decentralization policy; Taabazuing (2010) on the Participation of Chiefs in the Decentralization Process and, Offei Aboagye (2009) on the Challenge of Decentralization in Ghana. Crawford and Gordon (2009) focused their investigations on the Politics of Decentralization in Ghana; Debrah (2008) on the state of Accountability of some assemblies in Ghana; Hoffmann and Metzroth (2010) on the Political Economy of Decentralization in Africa; Ribot, Lund and Treue (2010) on Democratic Decentralization in Africa in general and Wunsch (2008) on the failure of decentralization in Africa.

While the above studies provided a wealth of knowledge about various aspects of the state of Ghana's decentralization, gaps still exist in other aspects of Ghana's local government and decentralization system. Firstly, most of the studies focused on general and broad issues of decentralization both in Ghana and in Africa. That is, most of them endeavoured to cover all the components of decentralization such as the political, administrative, fiscal decentralization, citizens' participation and accountability all together within the same study. By handling all the components together, most of the studies could not have dealt very deeply into each one of the issues studied. In addition, while other studies tried to focus on limited aspects of decentralization such as political decentralization, fiscal decentralization, participation and accountability, those that covered administrative decentralization were very few. Furthermore, almost all the studies carried out stopped at the district assemblies' level as units of analysis, leaving out the substructures such as the Sub Metropolitan District Councils, Town, Area, Zonal Councils and Unit Committees. Among other concerns, there is little knowledge about the true state of Ghana's administrative decentralization as well as the decentralized sub structures regarding whether they are actually performing the functions that were

assigned to them. Again, some of the studies being referred to were based on secondary data and desk studies with only a few being of primary research. Lastly, and most importantly, the majority of the studies were conducted using single case studies of rural districts leaving out the Metropolitan and Municipal Assemblies. To fill some of these gaps, the researcher undertook the current study focusing on the state of Ghana's Administrative Decentralization and Accountability of administrators to the people at the local level in the context of relevant current policies using multiple case studies. Among others, the study specifically focused on the current state of decentralization of the departments of the Assemblies, the personnel available to plan and implement policies, the discretion and autonomy possessed by them to take and implement decisions in the interest of local residents and whether all decentralized bodies, including Area Councils and Unit Committees, were operational and were also accountable to local people.

In the study that follows, the researcher argues, among others that, notwithstanding the plethora of legal and policy provisions which sought to transfer power, resources and discretion over decision-making from central government bodies to local people and decentralized institutions, central government bodies and local bureaucrats are still in firm control of power and key decisions of the Assemblies whereas local decentralized institutions and representatives remain neglected and powerless. The mismatch between the rhetorics and realities of Ghana's decentralization is largely due to the dividends of power, which those benefiting from the status quo did not want to lose.

1.3 General Objective of the Study

The overarching aim of the study is to contribute to understanding of the current state of Ghana's administrative decentralization and local accountability in the context of

current policy objectives and the relevant legal framework. The approach would enable the researcher to provide a detailed description of what is actually happening within Ghana's administrative decentralization; capture the experiences of key stakeholders and their interpretation of the current state of affairs among others.

1.4 Research Questions

To achieve the general objective and purpose of the study, the researcher shall answer the following questions:

- a) What administrative capacity do the Assemblies possess to plan, make and implement decisions to fulfil their core mandate;
- b) Do the Assemblies have the discretion to manage their staff in a way that could best serve the interests of the local Assembly?
- c) Do the Assemblies possess the financial capacity and autonomy to carry out their decentralized functions as specified and envisaged by policy, and if not, what could be the reasons?
- d) Were the departments of the Assemblies, including the sub-structures, fully decentralized and performing their roles, responsibilities and functions as specified by law; and if not, what were the reasons?
- e) Were the Assemblies supervising and coordinating the plans, budgets and other programmes with those of the decentralized bodies in accordance with current policy. If yes, how was it done, and if no, what were the reasons?
- f) Do the main decisions as reflected in the Medium Term Development Plans, Budgets and other programmes of the Assemblies and decentralized departments reflect preferences of the local people and their representatives?

g) Were the Administrators of the Assemblies accountable to the people? If yes, how were they doing it, and if no, what reasons may account for it?

h) What were some of the major concerns of key actors about the nation's administrative decentralization and local accountability programme?

1.5 Significance of the Study

The result of the study has significance from different groups of stakeholders in local government and decentralization. While it may benefit policy makers and local government practitioners, its major area of contribution will be the expansion of theory and understanding in the field of decentralization and local government, especially in Ghana and Africa as a whole - countries that have recently emerged from military dictatorships. Theory building in the field of social science does not only take much longer time, but also, depends on the result of studies carried out across diverse social space. Though theories of decentralization and local government may exist, there always exists the need to confirm, refute or expand a particular theory. Furthermore, there is a need to incorporate the Ghanaian, African and other developing economies' experience into such body of knowledge. The researcher hopes that a contribution in this direction would be made upon a successful completion of this study. Over all, such knowledge may be used for the improvement of the poor socio - economic condition of the Ghanaian - a condition that could be partly attributed to unsatisfactory local governance practices.

1.6 Structure of the Thesis

The report emerging out of the study is organized into seven chapters. The first chapter contains the Introduction to the Study. The content here include the background to Ghana's decentralization, State of the literature and Research gaps, Statement of the problem, general and specific objectives and research questions, relevance of the study,

the researcher's philosophical and paradigmatic orientation and relevance of the study to societal and academic progress. Other issues covered include the theoretical framework for the study, reliability and validity of the study, ethical considerations and the researcher's biographical disclosure.

In chapter two, the researcher focused on definition of key concepts in decentralization, a review of some theories of decentralization and the state of decentralization in Africa and Ghana. Specific topics reviewed include, among others, the concept of decentralization and local government, why nations embark upon decentralization and the arguments for and against decentralization. Others include the historical attempts on the part of Ghana in search of decentralization, the external and local factors that motivated Ghana's decentralization and the Nation's model and concept of decentralization.

Chapter three is a layout of details of the methodology of the study and a brief introduction and basic information about the study areas. Among the sub topics in the chapter are the researcher's approach to enquiry, selection of the study areas, data collection procedures and analysis as well as the analytical framework. The fourth chapter is devoted to a presentation of the evolution of Ghana's decentralization, while chapter five contains the presentation of Ghana's legal framework, the structure, policy objectives and functions of the current decentralized bodies. In chapter six, the researcher reports on the current realities of Ghana's local government system and decentralization and local accountability in all three Assemblies constituting the case studies. Chapter seven, also the last one, is devoted to summary of the findings from all three case studies, Discussions, policy implications, conclusions, recommendations, future research areas and contribution to knowledge.

1.7 Ethical Considerations

In order to prevent any negative effects on research participants, the researcher undertook to respect relevant ethical values throughout the research process. Firstly, the researcher, in accordance with the University of Ghana's ethical policy, submitted a copy of the research proposal which included the study protocol as well as participant consent forms, to the Ethical Committee for Humanities (ECH) for approval. Regarding the Assemblies, a letter was written to inform the Administration about the full intent of the study. This made it possible for the Coordinating Directors to inform all the staff of the various assemblies about the study and asked for cooperation from the staff. Besides, the researcher also engaged in an Informed Consent Dialogue (Yin, 2010) with research participants where further clarifications regarding the research aim and objectives were further explained. Most of the participants demanded that their names should not be disclosed in the final report since their superiors could victimize them for disclosing some of the information that they provided. Where there was the need for the researcher to observe proceedings of meetings, the researcher sought permission from the Presiding Members of the Assemblies who served as Chairpersons of the General Assembly in Session. Also, the researcher avoided identifying individuals with their names since that could lead to some form of victimization. This contributed to make participants come out with much information. The concern to protect participants notwithstanding, the researcher sought to search for the truth and report it as such.

1.8 The Researcher's Biographical Disclosure

The researcher wishes to disclose that he had served as an appointed Assembly member of the Jasikan District Assembly first, from 2001 to 2005 and later as elected Member for the same from 2010 to 2019. He has therefore served in a number of Committees and Sub- Committees of the Assembly, including the Executive Committee, Public

Relations and Complaints Committee, Finance and Administration Sub-Committee, Development Planning Subcommittee and the Works Sub-Committee.

Disclosures pertaining to a researcher's background with respect to, for example, race, profession, role and institutional affiliation is of great importance in social science research as it could contribute to the level of integrity or otherwise of the study. The ultimate aim is to be sure that the researcher's requirement for objectivity has not been compromised by his position, race, profession or institutional affiliation depending on what type of study is being studied, and the method used to carry out the study. While the study of a subject in which one may have some interest (be it race, profession, institutional affiliation etc.) is of great concern to some social scientists, others have argued that with some precautionary measures in place, the rich knowledge that people with deep insight into a subject could provide for the scientific community should be viewed as extraordinary. Maxwell (2012) argues thus:

Traditionally, what you bring to the research from your own background and identity has been treated as *bias*, something whose influence needs to be *eliminated* from the design, rather than a valuable component of it. This has been true to some extent even in qualitative research, despite the fact that qualitative researchers have long recognized that in this field, the researcher *is* the instrument of the research.

In opposing the traditional view, C. Wright Mills (1959), in a classic essay, argued thus:

The most admirable scholars within the scholarly community do not split their work from their lives. They seem to take both too seriously to allow such dissociation, and they want to use each for the enrichment of the other (p. 195).

In discussing the value of subjectivity in his own research, Glesne & Peshkin postulates:

The subjectivity that originally I had taken as an affliction, something to bear because it could not be foregone, could, to the contrary, be taken as "virtuous." My subjectivity is the basis for the story that I am able to tell. It is a strength on which I build. It makes me who I am as a person and as a researcher, equipping me with the perspectives and insights that shape

all that I do as a researcher, from the selection of topic through to the emphases I make in my writing. Seen as virtuous, subjectivity is something to capitalize on rather than to exorcise. (Glesne & Peshkin, 1992, p. 104 In Maxwell (2012).

Anselm Strauss (1987) equally emphasized the richness of what he called “experiential data”—the researcher’s technical knowledge, research background, and personal experiences. To him, experiential data should not be ignored because of the usual canons governing research (which regard personal experience and data as likely to bias the research), for these canons lead to the squashing of valuable experiential data. We say, rather, “mine your experience, there is potential gold there!”(p.11).

Considering the foregoing considerations, the researcher ruled out the inclusion of the Jasikan District in the study since he could not predict how the officials of the Assembly and other participants would view the aims of the study. The researcher therefore selected Assemblies where no one knew him as an Assembly member himself, and as such participants were free to respond to research questions without having to consider much the aims of the study. The advantage that the researcher had, however, was that his depth of knowledge of the District Assembly system was found to be very helpful in establishing a higher degree of credibility and respect from the participants who found that the researcher understood the system very well. Responses provided could therefore be expected to be positively affected with respect to their degree of truthfulness. The use of participant triangulation for data collection was also meant to ensure that the data was free, as much as possible, from the imposition of the predetermined knowledge of the researcher.

CHAPTER TWO

REVIEW OF LITERATURE

2.0 Introduction

To undertake an analysis of any decentralized system, one would need to first situate such efforts in a given conceptual definition and background. In this chapter, the researcher undertakes a review of scholarly discussions on some key concepts in the subject area as well as an overview of Ghana's decentralization programme. Specific topics reviewed here include, the concepts of centralization and decentralization and local government, factors driving the demand for decentralization, arguments for and against decentralization, some theories of decentralization, analysing administrative decentralization, and local accountability. Also reviewed as part of the literature were the historical development of Ghana's decentralization, factors that motivated Ghana's decentralization; Ghana's concept of decentralization, the aims and objectives of Ghana's decentralization and the legal and policy framework for Ghana's decentralization.

2.1 Centralization

Centralization refers to a governance arrangement in which all power, resources and decision-making are concentrated to an individual, body or a particular location from which all others within the system may derive their specified action, resources and responsibilities etc.

Centralization played a major role in the formation of the modern state. After colonialism in Africa, centralization was seen to be inevitable for nation building and development since it offered the right tools capable of mending together the many ethnic groups of precolonial Africa into a strong unified state.

As Mann (1953, In Hutchcroft, 2001) notes:

‘The modern state has come over time to embody centrality in the sense that political relations radiate to and from a centre to cover a ... territorially demarcated area over which it exercises ... some degree of authoritative, binding rule making, backed up by some organized physical force’

Mann (2001) documents a list of some of the historical techniques used by central powers for the creation of centralized systems to include the prefectural system where the central authority divides the country into areas and appoint a prefect in charge of each. Fesler (1968, In Mann, 2001) explains that such a prefect acts as the representative of the government, and all specialized field agents within the area come under his supervision. Other strategies used by centralized states to impose their authority throughout the territory are frequent rotation of personnel; the authority to unseat and punish appointees whose behaviour may be inappropriate or threatening for one reason or the other, and the requirement for officials to obtain permission for a range of tasks performed at the local level.

Although centralization was seen as the best strategy for nation building, which also possessed other virtues such as economies of scale, no sooner was it embraced than it was also maligned for its potential weaknesses. These include tyranny, excessive bureaucracy, ignorance of local conditions, inefficiencies and exploitation of the weak, among others. The alternative to centralization was readily found in decentralization.

2. 2 Decentralization as a Concept

Since the emergence of the concept of decentralization, at least, from the middle of the 1880s (Schmidt, 2007), scholars have wrestled with a definitive meaning of the concept by offering quite different definitions to it. Conyers (1984) had observed that everyone knows roughly, what decentralization means, but defining it precisely presents problems because it can be used in a number of different ways and in significantly different contexts. Bardhan (2002) posits that as is usually the case when a subject draws advocates from sharply different viewpoints, different people mean different

things by decentralization. This notwithstanding, Hutchcroft (2001) among others opines that before one can adequately shape decentralization initiatives or assess their impact on development and democracy, it is first necessary to define more clearly what is meant by the terms "centralization" and "decentralization". The UNDP (1998) affirms this position by stressing as follows:

One of the most critical prerequisites to translate decentralization from theory to practice is a clear understanding of the concept. To be able to better envision what decentralization means, how best it can be planned and implemented, what its intricacies are, and how its challenges can be overcome, development practitioners should be equipped with appropriate tools which could provide an analytical knowledge of decentralization from a conceptual viewpoint accompanied by real and field- tested examples of the concept in practice (p.6).

Based on the foregoing, the author did not attempt here to provide an excellent or all-embracing definition of the concept, but identifies definitions provided by some of the major theorists in the field, which were also found to be relevant for the Ghanaian model of decentralization under study.

2.3 A Survey of Definitions of Decentralization

In defining the concept of decentralization, a great number of scholarship has focused on the political act of transferring the power and responsibility over local policy, decisions and service delivery from the central government to local actors. In these respect, Ribot et al., (2006); Manhood, (1983) and Smith, (1985), defined decentralization as any political act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy. Debrah (2014) asserts that because decentralization is related to power structure and how power is wielded by the state, political scientists and others define decentralization as the transfer of authority to plan, make decisions, and manage public functions from a higher level of government to any individual, organization or

agency at a lower level (Rondinelli and Cheema, 2003; Berhanu, 2008; Aryee, 2008; Turner & Hulme, 1997 in Debrah, 2014). Similarly, Faguet (2015) asserts that to decentralize is to devolve power, authority and resources to sub-national officials with independent electoral mandates whom the centre cannot control. He went on to define decentralization as the devolution by central government of specific functions, with all of the administrative, political and economic attributes that these entail, to local governments, which are independent of the centre and sovereign within a legally delimited geographic and functional domain. Faleti (2004), on the other hand, views decentralization more broadly as a set of state reform process that is aimed at transferring responsibilities, resources, or authority from higher to lower levels of government. He stressed that as a matter of state reforms, decentralization does not include transfers of authority to non - state actors as in the case of privatization. The author intimated that the recent decentralization reform followed the collapse of the developmental state and accompanied the move towards free market economies characteristic of the last quarter of the 21st century. He also asserted that decentralization reforms may take place in authoritarian as well as democratic contexts, hence the concepts of decentralization and democratization should not be conflated. Ndegwa (2002) also highlighting the role of authority and resources, defined decentralization as the transfer of public authority, resources, and personnel from the national level to sub-national jurisdictions which results in local governments that must deliver local services.

Focusing on responsibility, one of the most popular definitions of decentralization (though failing to emphasize power and authority) may be the one offered by Rondinelli, et. al (1981): the transfer of **responsibility** for planning, management, and resource raising and allocation from the central government to (a) field units of central

government ministries or agencies; (b) subordinate units or levels of government; (c) semi-autonomous public authorities or corporations; (d) area-wide or functional authorities; or (e) NGO's/PVO's.

According to Faguet (1997) decentralization will be understood as the devolution by central government of specific functions, with all of the administrative, political, and economic attributes that this entail to local (municipal) governments which are independent of the centre and sovereign within a legally delimited geographic and functional area(p.4). He explained further that the type of regime (democratic, authoritarian, theocratic etc.) under which decentralization occurs is likely to have a great impact on its effectiveness.

Also, stressing the role of authority, the UNDP (1998) defined decentralization as the restructuring or reorganization of authority to enable a system of co-responsibility between institutions of governance at the central, regional and local levels according to the principle of subsidiary, thus increasing the overall quality and effectiveness of the system of governance, while increasing the authority and capacities of sub- national levels. Based on the analysis of more than 40 definitions of decentralization in the literature, Dubois and Fattore (2009 : 707 - 711 in Forum of Federations, 2015) concluded that the concept refers to both a structure and a process; that it focuses on questions of authority, responsibility and power, as well as functions and resources; and that it draws attention to the transferring entity (central government) and the receiving entities (Sub-national government). This position concurs with that of Ahwoi (2010), who while referring to Ghana's decentralization, understood the concept to be a tool of public administration reform that involves the transfer of functions and powers, skills and competencies and means and resources to lower levels of governance, normally structures of local government.

2.4 The Spacial Implications of Centralization and Decentralization

Borrowing from Jeremy Bentham's Panopticon, Foucault (1977) in Galloway, 2004 used the design of the prison to explain centralization and decentralization of power as shown in figure 2.1 and 2.2 respectively below. According to Galloway (2004), centralized networks are hierarchical. They operate with single authoritative hub or centre (fig. 2.1) with each radial node or branch of the hierarchy being subordinate to the central hub. All activities travel from the centre (A) to the periphery (B). No periphery node is connected to any other node. Although centralized networks may have more than one branch or other activity points extending out from the centre, at each level of hierarchy power is wielded by the top or hub over the bottom (nodes).

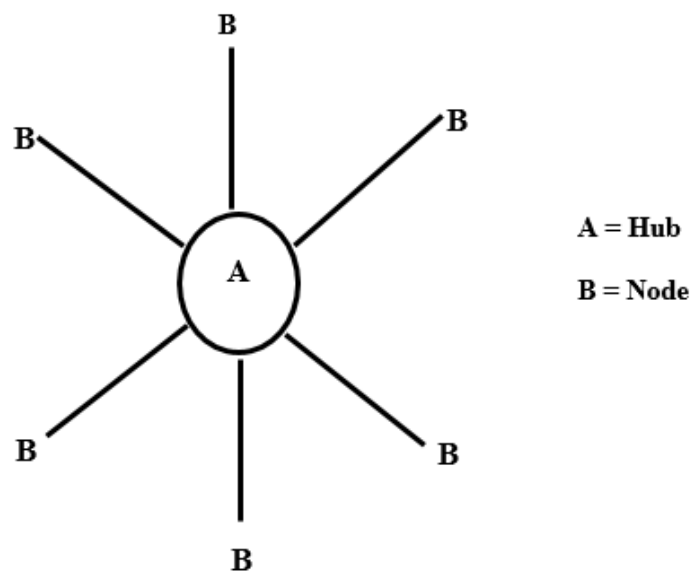


Figure 2. 1 A Centralized Network (system)

Source: Galloway, 2004.

The panopticum described in Foucault's *Discipline and Punish* represented a centralized network. Within the Panopticum (prison), a guard was situated at the centre of many radial cells. Each cell contained a prisoner. This special relationship between guard and prisoner "links the centre to the periphery". In it, "power is exercised without

division according to a hierarchical figure occupying the central hub". On the other hand, a decentralized network is a multiplication of the centralized network (figure 2.2). In a decentralized network, instead of one hub, there are many hubs, each with its own array of nodes. While several hubs exist, each with its own domain, no single zenith point exercises control over all. In Ghana's decentralized system, District and Municipal Assemblies currently operate as three tier system, while Metropolitan Assemblies operate a four tier decentralized system or nodes.

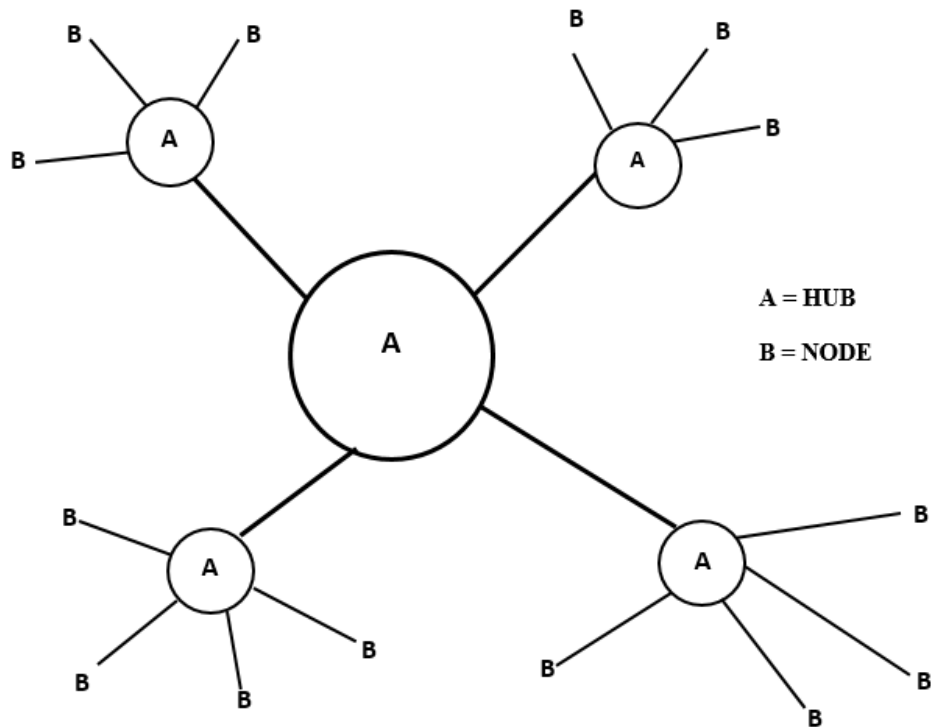


Figure 2. 2 A Decentralized Network (system).

Source: Galloway, 2004.

Local government institutions may be a direct result of a more comprehensive decentralization process.

Miller (2002) defined local Government as a sub-level government that has jurisdiction over a limited range of state functions, within a defined geographical area, which is part of a larger territory. Local government refers to the institution or structures, which exercises authority or carry out governmental functions at the local level. Local governance on the other hand refers to the processes through which public choice is determined, policies formulated and decisions are made and executed at the local level, and to the roles and relationships between the various stakeholders, which make up the society.

2.5 Decentralization and the Principle of Subsidiary

The concept of decentralization has been closely linked with the principle of subsidiary. The word *Subsidiarity* originated from the Latin word *Subsidio* which is translated literally as 'to help' or 'aid'. Subsidiarity as a concept traces its roots to the social doctrine teachings of the Catholic Church and popularized by Pope Pius XI in his 1931 *Quadragesimo Anno*, though the concept had earlier on featured in the encyclical *Rerum Nevarum* of Pope Leo XIII in 1891 (Forum of Federations, 2015; Thompson, 2014:307; Hebert, 2011: 242;). Subsidiarity as a principle essentially states that: "one should not withdraw from individuals and commit to the community what they can accomplish by their own enterprise and industry" that "it is an injustice and at the same time a grave evil and a disturbance of right order to transfer to the large and higher collectivity functions which can be performed and provided for by lesser and subordinate bodies'. When individuals or small groups cannot perform necessary functions, state assistance (subsidium) is permissible and even obligatory, but it must be carefully limited so as not to "destroy" or "absorb" the lesser body (*Quadragesimo Anno*, no. 79 in Hebert, 2011: 242; Thompson, 2014: 307). In expounding further,

Vischer (2001) in Forum of Federations, (2015), argues that the principle of subsidiarity embodied a notion that the health of a society is in great part a function of the "vibrancy and empowerment of individuals acting together through social groupings and associations" and that, it consequently promotes a tendency toward solving problems at the local level and on fostering the "vitality of mediating structures in society". That subsidiarity does not only draw attention to government, the individual and the mediating structures which are bulwarks against government authority, but also it places greater value on mediating structures than it does on mega structures.

2.6 Types/Forms of Decentralization

A survey of the literature shows that like the "mother term" decentralization, confusion also exists in the categorization of the types or forms of decentralization. As has been emphasized already, this conceptual impasse in failing to provide unified categories could be attributable to the varied backgrounds of users and purposes for which the concept is applied, (political scientists with different ideologies; economists, public administrators and regional planners etc.). In the midst of such confusion, the author could only make use of a few of the classifications from some of the well-noted institutions and individuals whose typologies fits into the Ghanaian context of decentralization. Generally, decentralization may be classified according to the type of authority or function being transferred or devolved. In this regard, three types of decentralization may be identified as *Administrative*, *Fiscal* and *Political* (Alonso et al., 2011; Cabral, 2011; Awotwi, 2010; Treisman, 2007; Faleti, 2004; Schneider, 2003; Bardan, 2002; Ndegwa, 2002). **Administrative decentralization** refers to a set of policies that transfer the administration and delivery of social services such as education, health, social welfare etc. to sub-national governments. It may entail

devolution of decision - making authority over the policies and may also be funded by central government where central government transfers may cover the cost of administration (Faleti, 2004). According to Rondenelli et al. (1984), Administrative Decentralization involves the transfer of autonomy for the provision of certain public services to lower levels of government, and that the lower levels assumes autonomy for public policy management, personnel control and control over public finances.

Awortwi (2010) explains further that in administrative decentralization, the set of policies also create or transfer local bureaucratic procedures and functions from the central government to local administration. The bureaucratic procedures relate to laws and regulations governing local administration while functional areas fall under the ambit of planning and delivery of services. Generally, three forms of administrative decentralization are recognized by most of the literature as *deconcentration* where local officials have no decision making powers; *delegation* - where local officials may have some restricted or minor decision - making powers and are also accountable to central government but do not take responsibility for those actions (Ryan & Woods, 2015; Chattopadhyay, 2013, in Ryan & Woods, 2015; Awortwi, 2010; Crook & Manor , 1998) and *devolution* (democratic decentralization) - which involves the legal conferment of powers and the performance of specified functions by formally constituted local government institutions who perform such functions without having to seek permission from the central body but take legal responsibility for those actions (Ryan and Woods, 2015; Ahwoi, 2010; Rees & Hossain, 2010; Wunsch, 2008; Schneider, 2006; Hutchcroft, 2001; UNDP, 1999 Cohen & Peterson, 1996; Rondenelli & Nellis, 1986). In Wunsch (2008), devolution implies that local governments are autonomous within specified boundaries. This usually entails that local governments have authority to engage and discharge personnel, engage in contractual relationships, make policies,

manage programmes, pass byelaws, raise funds through taxes as they are permitted, pass budgets and elect political leaders. Despite these classification of administrative decentralization, the author takes notice that some in the academic community (Boasiako,2010; Miller, 2002; Rondinelli and Nellis, 1986; Rees and Hossain, 2010) treat devolution, de-concentration and delegation as types of decentralization in and of themselves, but not alternatives under the administrative design. But as stated already, others, including Ahwoi (2010), asserts that:

"Academic writers on decentralization very often confuse the term "decentralization" with other concepts that look like decentralization but could at best be described as variants of administrative decentralization. Rather, those concepts, namely Devolution, Deconcentration (Decongestion) Delegation and Public - Private Partnerships are alternative methods aimed at achieving an efficient and effective public administration system; they are not forms of decentralization... For example, Ghana has always had a deconcentrated public administration system. Virtually, every Central Government Ministry, Department or Agency has field offices in the regions, and the districts, but the field offices do not have decision-making powers. They do not have powers of appointment, promotion, pay, transfer, discipline and termination of appointments. They do not have control over their budgets, which are cut whenever the central government faces a budgetary crunch and decides to cut its budget. If indeed deconcentration were a form of decentralization, then why has government after government spent so much time, effort, man power and material and financial resources trying to decentralise? Why have Government not simply said that Ghana is already decentralised, and that our form of decentralisation is deconcentration? The answer is simply because deconcentration is not a form of decentralization; it is an alternative to decentralization, so what the various governments of Ghana have been trying to do is to shift away from deconcentration to decentralisation" (p.4).

Among the three typologies of administrative decentralization, devolution, also termed democratic decentralization, is considered to be the best and most acceptable form of decentralization, while the others cannot qualify as decentralization as is implied in the above.

According to Ahwoi (2010) decentralization is what Ghana's public administration reforms has committed itself to since the 1980s. He avers further that Ghana's

decentralization programme sought to transfer functions and powers in a programme of political decentralization; to transfer skills and competences in a programme of administrative decentralization and decentralized planning, and to transfer means and resources through a programme of fiscal decentralization.

For the purpose of this study, the researcher defines administrative decentralization as the legally mandated act of transferring powers, public responsibilities, discretion for decision-making, human as well as financial resources and other administrative functions, hitherto performed by central government, to a territorially defined local government unit (s) and bodies with related requirements for accountability. To be effective therefore, administrative decentralization should operate simultaneously with political and fiscal decentralization.

Fiscal decentralization is aimed at transferring down fiscal autonomy (Alonso et al.2011), also refers to a set of policies that purports to increase the revenues or financial autonomy of sub - national governments. Such a policy may lead to an increase of transfers from central government, the creation of new sub-national taxes, and the delegation of tax authority that was previously national (Faleti, 2004). A combination of four policies have been identified to be involved in the fiscal decentralization process (Awortwi, 2011; Awortwi, 2010; Prud'Homme, 2003; Fjelstad, 2001). The policies include (i) expenditure assignment which clearly delineate the division of labour between the central and local governments regarding their respective responsibility of providing and paying for specified services to citizens; (ii) revenue assignments which also demarcate revenue sources as well as tax raising powers between the local and central governments including the authority on the part of local governments to allocate

their funds in accordance with their own priorities; (iii) inter-governmental policy that enables central government to make the transfer of financial resources in the form of grants to local governments and (iv) a regulatory regime to monitor and set limits on local government finances.

Political or democratic decentralization involves the transfer of some powers from central government politicians or legislators to elected local government politicians, who are given autonomy to determine all their local processes of development (Smith, 1996, in Awortwi, 2010). Such autonomy so granted may be codified in a country's constitution or may be legislated in some other legal instruments. Awortwi (2011) asserts that to move beyond platitudes, a set of constitutional amendments, legal instruments and electoral reforms is designed to open new or reactivate existing dormant spaces for representation of local government politics, which reforms may lead to:

- a) election instead of appointment of councillors and mayors;
- b) creation of local councils with the power to make laws and authorize the use of budgeted finance by executives;
- c) enabling of citizens to recall their councillors for underperformance or vote them out during elections; and
- d) autonomy of local councils to hire, motivate, manage, and fire local bureaucrats without the interference on the part of central government.

Schneider (2006) explains further that under politically decentralized systems, citizens have opportunity to define their interests and form identities on the basis of local interests, and that parties and other social movements operate locally and compete in local elections over local issues. He asserts further that among others, the electoral components are the most valid indicators of political decentralization as they tap into

fundamental aspects of authority and also address best the issue of representation which is the primary way interests gain access to legislative and executive power. Also under political decentralization, local leaders have a higher degree of autonomy than local government executives who are in principle employees of the local government and are accountable to the former. Decentralization in one dimension has the propensity to affect decentralization in another dimension since the three dimensions could be intricately connected in one way or the other. Schneider (2003) argues that fiscal decentralization, for example, might generate greater administrative decentralization if local units used the increased resources and financial autonomy to assert administrative authority from the centre. Alternatively, fiscal decentralization might lead to less administrative decentralization if central government systematically counteracted the release of resources with an increase in bureaucratic or regulatory controls. In the nutshell, one may conclude that while three forms of decentralization may be distinguished, it is practically difficult to embark upon exclusively one form of decentralization successfully without affecting the others. In other words, none of the three types of decentralization discussed could be either meaningful or effective without the others. For example, how could a decentralized local administration be able to provide services to local residents and provide effective bureaucratic support without adequate financial means; and further, how could local administrators provide responsively the needs of local people and be accountable to them without an effective local legislative system to provide legitimacy of actions?

2.7 Arguments for and against Decentralization

In spite of the widespread adoption of the concept in both developing and developed countries, decentralization has attracted both admirers as well as dissenters. Each of these groups has therefore advanced arguments in support of their position. It must be

emphasized that just as the concept has been adopted by people of diverse backgrounds including political scientists, public administrators, sociologists and economists etc. the arguments for or against decentralization have equally reflected the source of those arguments. That is, the arguments transcend the fields of development, politics, economics, administration and sociology among others. Besides, decentralization may be viewed as one of the few concepts that draws support not only across ideological boundaries, but also is accepted across the four corners of the earth because of its social, economic and political advantages over centralization. For example, Treisman (2006) asserts that:

‘Along with democracy, competitive markets and the rule of law, decentralized government has come to be seen as a cure for a remarkable range of political and social ills. Enthusiasm extends across geographical and ideological boundaries, uniting Left and Right, East and West, and North and South. It is hard to think of any other constitutional feature - except perhaps democracy itself - that could win praise from both Bill Clinton and George W. Bush, Newt Gingrich and Jerry Brown, Francois Mitterrand and Jacques Chirac, Ernesto Zedlilo and Vicente Fox, Mikhail Gorbachev and Boris Yeltsin’(p.1).

Decentralization has been justified for the efficiency and governance values. While efficiency is understood as the maximization of social welfare, governance values entail responsiveness and accountability on the part of local executives. The presumption is that the tailoring of goods and services to the particular preferences and circumstances of localised constituencies leads to an increase in economic welfare 'above that which results from the more uniform levels of such services that are likely under national provision' (Oats,1999 in Ryan et al, 2015). In other words, the same amount of funds spent at the sub-national level rather than at the national level can result in increased individual welfare (Martinez-Vazquez & McNab , 2003 in Ryan and Woods, 2015). Wolman, cited as representing the modern voice for decentralization, (in Faguet, 1996), suggests that when public goods are provided, tax and service packages should reflect

as accurately as possible the aggregated preferences of community members. However, because individual preferences for public goods differ, there will be some divergence between the preferences of individual community members and the tax and service packages reflecting the aggregated community preferences. It is likely that the average divergence of individual preferences from the tax and service package adopted by the community through its government will be less in small communities of relatively like-minded individuals than it will be in larger, more heterogeneous areas. Therefore, allocative efficiency and social welfare are thus likely to be maximized under highly decentralized political structures. In this same respect, other advocates argue that multi-tier government makes it possible to satisfy citizen's demands for public goods and services more precisely and cost-effectively. That, if it is most efficient to provide some public services in small units and others in large ones, or if tastes for some outputs vary geographically, provision in a multi-tier structure can be tailored to these cost and demand conditions (Treisman, 2006; Montesquieu 1989[1748]; Oats, 1972). Referring to scholars including Waldo, J.S. Mills, Webb, Foster and Plowden, De Vries (2003) argues, among others, that local provision is able to put to use local goodwill, enthusiasm and knowledge. That, services can be more easily adapted to the requirements of local people which can vary greatly from place to place. Also, local diversity may allow for experimentation and innovation from which other local governments may learn lessons for their own adoption.

For the governance values, Wolman argues that by bringing government closer to the people, decentralization fosters greater responsiveness of policy-makers to the wishes and desires of the citizenry and hence results in closer congruence between public preferences and public policy. This is not only because decision-makers in decentralized units are likely to be more knowledgeable about and attuned to the needs

of their area than are centralized national government decision-makers, but also because decentralization permits these decision-makers to be held directly accountable to the local citizenry through local elections. The devolution of power to localities has also been associated with other governance outcomes including increased participation of citizens in local affairs as it also provides a training ground for future national leaders. Greater levels of citizens' participation may be achieved as a result of the fact that the issues being discussed by the local government may not only be of greater interest to local citizens, but also because citizens might be affected directly in one way or the other by those decisions unlike in the case of the central government.

The intellectual discourse about the political, economic and social utility of decentralization was pioneered by political philosophers since the 17th century among which were Rousseau, Mills, de Tocqueville, Montesquieu and Madison (Treisman, 2006; Faguet, 1997). These, among others, greatly distrusted autocratic central government and held the view that unlike central government, small democratic units could, like ancient Athens, better preserve the liberties of free men. This is achieved through the prevention of tyranny via a balance of power not only among the branches of central government, but also between central, regional and local governments.

It is further argued that by reducing the scale of government, decentralization provides the necessary space for the increase of citizens' participation and the cultivation of civic virtue. It also enhances electoral accountability because voters have better information about local than about central government performance (Jefferson, 1999; Tocqueville, 1969; Mill, 1991 in Treisman, 2006). Concurring with the foregoing, Saito (2001) argues that decentralization brings public services closer to the people, who also have more opportunity to participate more actively in decision-making processes of local policies and activities than in centrally controlled ones. The participation in turn

contributes to improve accountability of public services because people can scrutinize local governments more closely than central governments. Participation in the processes of development may also lead to the provision of more effective and sustainable development outcomes since people may have a sense of ownership of activities and projects in which they participated. Based on the argument in favour of the opportunities it offers for participation in public discourse and for the possible realization of communicative rationality and action (Habermas, 1988), one may also conclude that decentralization could provide some of the answers to the problem of political and social exclusion that is attendant with modern democracy and political elitism. Summing up the advantages, Cohen and Peterson asserts that decision-makers and aid agency professionals in many transnational and developing countries are increasingly turning to Administrative Decentralization as a strategy for addressing a number of critical governmental needs. Foremost among these are strengthened governance, increased transparency and Accountability, and more effective and efficient production and delivery of public goods and services.

The above arguments for decentralization notwithstanding, some scholars are not very convinced by the supposed positive outcomes as identified in favour of the decentralized system. For example, Wolman (In Faguet, 1997) argues that decentralization will complement or exacerbate disparities among communities or districts since they may have different resource base. It is further argued that decentralization may also reduce the level of efficiency by inhibiting the economies of scale which is possible under a centralized system of production of goods and services. The argument for increased citizens' participation under the decentralized system has equally been questioned on the basis of the generally low turnout at local elections. Furthermore, it is argued, the participation in government may cultivate either civic

virtue or corruption, depending on whether pre-existing practice in that government is virtuous or corrupt (Faguet;1996; Triesman, 2006).

To the arguments against decentralization, one may want to assert that within a democratic and market economic system, specific products are still produced to satisfy the special needs of a specific market or group of consumers with particular desires, tastes or characteristics. This principle is synonymous with the concept of decentralization as detailed above. Concerning the likelihood of decentralization reinforcing disparities among local governments, one may argue that centralization by way of the creation of core/periphery development strategies and related backwash effects within the country was one of the major factors responsible for the creation of most of the social and economic disparities currently existing in most developing countries. To reduce such disparities, most decentralization policies have created constitutionally mandated central grants (such as Ghana's District Assemblies Common Fund (DACF), which is shared to all local governments for development. Also, local governments only take care of specified functions for which they are considered to be in the best position than central government to address. On the low level of participation in local government elections and other activities, it may also be argued that besides the fact that national elections has equally suffered low patronage, the fact that decentralization provides space for some more citizens to add their voices to issues affecting them is democratically valuable and may constitute an improvement over what is possible under the centralized system where the focus may be on general national issues.

2.8 The Motives/Drivers of Decentralization Reforms

While the general advantages of decentralization may constitute sufficient motives for a nation's decision to embark upon a programme of decentralization, scholars have

investigated and identified what factors have actually been responsible for initial decentralization reforms of developing countries in particular. This according to Eaton, Kaiser and Smoke (2010) is because understanding the initial conditions under which decentralization arose is a useful starting point for assessing the most genuine and robust reasons for pursuing it, their likely implications for the shape and pace of reform, and the potential durability of resulting policies.

Accounting for the motives behind Germany's early decentralization reforms for example, Johnson (in Vries, 2003) argues that the Allied Forces imposed territorial decentralization on Germany as a reaction to the highly centralized totalitarian regime of the Nazis. Thus, decentralization was introduced as an attempt to prevent the reintroduction of a centralized super state, and this resulted in a strong federalism and the separation of the legislative, political and administrative powers between the central government and municipalities (Kickert, 1993 in Vries, 2003). In the German case, the organization of government is clearly linked to the question of power, namely the classic idea of division of powers for the protection against tyranny (Dye, 1992). It is based on the classic argument that the decentralization of authority results in 'good' government, that is a limited government in its objectives, balanced in its organs and divided in its powers (Waldo, 1948) in Vries, 2003. Having analysed the driving forces for the decentralization of four other European countries from the 1950's to the 90s, Vries (2003) concluded that:

' In all these countries, decentralization is first and foremost a reaction towards a perceived problem in the previous period, be it a formerly super centralized state (Germany in the 50's) ,the previous growth of central control over day- to -day work of local authorities which hindered public participation at the local level (the UK in the 1960s), overregulation by central government(Sweden in the 1980s) or the perceived inefficiency of the central government apparatus (Netherlands in the early 1990s)(p.210)'.

Contributing to the discussion, Eaton, Kaiser and Smoke (2010) identified factors that could inspire decentralization reforms by specific nations. Among these are a response to urgent political/ or economic crisis that resulted in demand for meaningful change (Philippines and Indonesia); the need to strengthen the legitimacy of the state throughout the territory (Bolivia and Columbia) or to take care of post conflict challenges and adopt democratic rule (Cambodia, Rwanda and Uganda) and in China and Vietnam, as a deliberate policy of broader market reforms and as an economic development strategy.

On his part, Schneider (2003) cited the fondness for decentralization in developing countries in the 1980s to a combination of factors including economic problems, inefficient central bureaucracies as well as pressure from multilateral institutions that developing countries adopt decentralization as a way out of the economic challenges facing them at the time. He stated:

'... stagnant economies and inefficient central bureaucracies led researchers to consider decentralization as a solution to the problems of developing countries, and multilateral institutions began to include decentralization components in many of their programmes. There were domestic pressures for decentralization also, as local politicians and civil society actors sought to capture power from central governments, and national leaders granted access to central power and resources as means of obtaining support from local allies or meeting demands for democratization. ... Additionally, freer trade, international treaties, and loan conditions led central governments to choose, or be forced, to abdicate their traditional roles, and left critical functions to non- central government entities if they were to be performed at all' (p.34).

On the part of Africa, diverse motives have been identified as driving most of the decentralization programmes. For example, Shah and Thompson (2004, in Awortwi, (2010) argues that African nations had diverse motives for the implementation of decentralization programmes which may be tangential to the theoretical rationale for decentralization elsewhere. They assert that ethnic based political conflicts set off

decentralization in Nigeria, Ethiopia, and South Africa, while territorial conflicts triggered decentralization in Madagascar, Mali and Senegal and the need to improve service provision accounting for the Cote d'Ivoire's decentralization. Generally, a typical characteristic of African decentralization, however, is that Central Governments have preferred to appropriate power and authority to themselves instead of by sharing power, authority and resources with local governments.

'...a typical conclusion that often emerges from studies on African decentralization is that Central Governments have been reluctant to decentralize sufficient powers and resources to local governments and so the potential benefits have not been realized' (Conyers,2007, Crook, 2003, Crook and Manor, 1998, Helmsing, 2005, Olowu and Wunsch, 2004, Ribot,2002, Therkildsen, 1993 in Awortwi, 2010 :621)

Ndegwa (2002) referred to two driving forces of Africa's decentralization of the 80s as consisted of the Structural Adjustment Programmes that sought to reform the public sector which started in the 1980s and the then ongoing transition towards more democratic and competitive politics that started in the 1990s. He asserted that although the post - independence history of governance and development in Africa is replete with expressed commitments and even actual legal and programmatic attempts at decentralization, it has mostly been honoured in the breach.

2.9 Motivations and Drivers of Ghana's Decentralization

Notwithstanding the universal acceptance of the positive benefits of decentralization, certain factors may serve as triggers that finally push each nation to finally adopt and implement the concept. An understanding of the key drivers of Ghana's decentralization programme could therefore be helpful in analysing the attitude of policy makers, the pace, depth and the general current state of the Country's decentralization.

Commenting on the motivations of Ghana's decentralization, Ayee (1997) argues that the PNDC's decentralization had explicit and implicit objectives, that the explicit

objectives could be found in government documents and speeches of political leaders which include empowerment, participation, accountability, stability, effectiveness and efficiency and decongestion of the national capital etc. The implicit objectives, he continued is what one would call the politics of decentralization. According to Ayee, Ghana's decentralization program was instituted as an attempt to resolve the legitimacy crisis inherent in military regimes, and also lead to an acceptance of the government by aid donors who would see the effort as a move towards a more open democratic politics. The constitution of Ghana (1992) asserts explicitly that Ghana's decentralization was motivated primarily by a desire to establish democracy and citizen's participation as key principles of governance in Ghana.

"...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 in national life and in government"(Article 34, Section 5(d).

In agreement to the above, Ahwoi (2010: 1), citing extracts from the PNDC Government Policy Guidelines on decentralization, stated:

"The urgent need for participatory democracy to ensure that the bane of remote government that had afflicted Ghanaians since independence is done away with effectively, to render governments truly responsive and accountable to the governed. The assumption of power by the people cannot be complete unless a truly decentralized government system is introduced, that is, Central Government, in all its manifestations, should empower local Government Councils to initiate, coordinate, manage and execute policies in all matters affecting them within their localities"

A clear inference from the above is that Ghana's current decentralization was motivated by the quest for true participatory democracy with responsive and accountable government as the key corner stones. However, in a comment by Awortwi (2011) regarding the motivations behind the general wind of decentralization that had been blowing over Africa from the 1980s, he avers among others that:

" Many analysts argue that the current process(decentralization) differs from the efforts of the 1960s and 1970s because it is taking place alongside broad economic and political reforms and with the support of donors that have made democratic reforms a condition for maintaining support (Abrahamsen, 2000; Romeo, 1996; Mkandawire, 1999 In Awortwi, 2011).

On the other hand, Awortwi asserts, regarding Ghana, that although the PNDC government of Fight Lieutenant J.J Rawlings declared that power was 'no longer going to be concentrated at the top' and did declare an eleven point decentralization policy that would bring that to pass, the regime back peddled from its avowed commitment to political decentralization to one of administrative decentralization for the fear of losing its grip on power.

"However, the regime which was made up mainly of low-rank soldiers, inexperienced in politics and a few technocrats with socialist leanings, felt insecure and considered political decentralization premature; so it also abandoned political decentralization. The first reform that the regime undertook was again an administrative decentralization seeking to increase government efficiency and effectiveness in the face of dwindling state resources. It transferred many government ministries to LGs to improve planning and execution of projects (Crook and Manor, 1998: 204). The regime then defined its vision of decentralization as 'the devolution of central administrative (Not Political) authority to the local level in order to ensure popular grassroots participation' (PNDC, 1983: 3) in Awortwi, 2011: 14).

According to the author, the change from the military led Government of Ghana from their initial conception of political to administrative decentralization (some form of political decentralization followed six years after) received a boost at the onset of a structural adjustment programme that was instigated by the World Bank in 1983. The programme included rationalization, retrenchment and transfer of some 86 government services including planning, resource mobilization and provision of basic infrastructure service to local government bodies. In explaining this diversion of the PNDC government from political devolution to administrative decentralization, Ahwoi (in Awortwi, 2010) claims that the pressure on the government to adopt constitutionalism

was responsible for the diversion since it provided opportunity for civil servants , most of whom were opposed to the revolution, to dribble the government into implementing administrative rather than political decentralization. Considering the amount of power wielded by the military government to shoot its way to office despite resistance, and also the type of system that were finally implemented, one may want to believe that the desire to hold on to significant amount of power even after the implementation of decentralization reforms could not escape the designers of the system. Crawford (2009) on his part has alluded to the use of decentralization by some developing countries including Ghana to provide the *appearance* of democracy for the purposes of legitimacy while holding on firmly to power.

" The political motivation behind decentralization can include attempts by central governments such as that of Ghana, to enhance their legitimacy through fostering the appearance of being democratic and participatory at the local level while remaining intent on retaining and even extending central powers"(p.75).

Cabral (2011), on the other hand, argues that instead of using it to empower local governments, decentralization is used by some African countries, including Ghana, to consolidate the power of central government at the local level. According to Crook, this motivation took over after an initial commitment to radical reforms faded out.

Evidence suggests that governments in Nigeria, Ghana, Cote d'Ivoire, Kenya, Tanzania and Zimbabwe have all used decentralised structures to consolidate ruling party power and influence the local level through alliances with local elites (Crook 2003 in Cabral, 2011).

Concluding on the motives behind Ghana's decentralization, one may infer from the foregoing discussion that although the architects of Ghana's decentralization were motivated to use decentralization as a means of achieving democratic values, including participation and accountable governance, observers of the implementation processes

have cast doubts on the real commitment of those behind the nation's project of decentralization.

2.10 Accountability Defined

The acquisition, use and transfer of power from one entity to another in modern times has often been associated with the need for accountability. This is aimed at ensuring that power holders use power responsibly in pursuit of the best interests of society. Brinkerhoff, (2001, in Ribot, 2001) avers that the essence of accountability is answerability; being accountable means having the obligation to answer questions regarding decisions and/or actions.

In his definition, Posner (2007) in Community Law Centre (2008) asserts that at the centre of the concept of accountability is the checking and balancing of potential abuse of power by public officials with the objective of limiting the potential for corruption by public officers and officials.

According to Agrawal and Ribot (2002) accountability is about mechanisms through which countervailing powers are exercised by those subject to actors holding decentralized power. Also, Accountability depends on the exercise of a counter power to balance arbitrary action (Foucault, in Agrawal and Ribot, 2002: p. 10). Having argued that three distinct dimensions - Actors, Powers and Accountability, underlie all acts of decentralization, Agrawal and Ribot (2002) asserts further that:

The allocation of different sets of powers of decision - making and rulemaking to lower level actors creates decentralization. The effectiveness of decentralization hinges on a third dimension: **Accountability**. We suggest that if powers are decentralized to actors who are not accountable to their constituents, or who are accountable only to themselves or superior authorities within the structure of the government, then

decentralization is not likely to accomplish its stated aims. It is only when constituents come to exercise accountability as a countervailing power that decentralization is likely to be effective (p.10).

In his typology for analysing accountability, Brinkerhoff (2001, in Ribot, 2001) argues that, accountability as a concept should be analysed in terms of '**answerability**' and '**enforcement**'. That, while answerability refers to the obligation to provide information and explanation concerning an action, enforcement, on the other hand, is the ability of overseeing actors to apply sanctions if they do not like the answers they are getting. He again distinguished between two types of accountability - horizontal and vertical accountability. While horizontal accountability refers to the accountability processes which are applied by agents and institutions located within the state, Vertical Accountability may refer to the array of means by which the public can sanction state actors. The notion of administrative accountability can be divided into Public Accountability and Social Accountability (Social Development Notes, 2010). Social Accountability falls under vertical accountability. Goetz and Gaventa (2001), Goetz and Jenkins (2005), UNDP (2010) have described Social Accountability as a form of accountability that emerges from actions by citizens and Civil Society Organizations aimed at holding the state to account, as well as efforts by governments and other actors (Media, Private Sector, Donors). In the words of the UNDP (2010) Social Accountability can provide extra sets of checks and balances on the state in the public interest, exposing instances of corruption, negligence and oversight which horizontal forms of accountability are unlikely or unable to address.

In arguing for the centrality of accountability in decentralization generally, and with particular reference to Administrative decentralization, Cohen and Peterson (2005) affirm that:

The primary administrative design principle related to administrative decentralization of a particular public sector task is to establish the appropriate level of *Accountability* required. A major objective for doing this is to promote greater effective and efficient execution, recognizing that accountable systems are not always efficient. Accountability manages discretion and discretion is defined as the latitude allowed in the exercise of authority, and administrative decentralization involves delegating such authority. Absent or limited accountability has been one of the principal constraints hampering the implementation of administrative decentralization reforms and programmes over the past few decades (p.12).

The duo continued their discourse on the relevance of accountability by further asserting that accountability is required for efficient and effective mobilization and management of resources, which are always scarce in developing and transitional economies. They put forward that one reason why administrative systems are so weak and resource driven aid agency assistance strategies have not succeeded is because of weak administrative systems that lack accountability.

'Administrative systems in transitional and developing countries frequently have inefficient management at headquarters and deconcentrated field- levels precisely because they do not have systems that promote accountability. Nor do they generally have political leaders or Senior decision -makers who value accountability'(p.5).

Expanding further on the role of accountability, the UNDP (2010) alluded, among others, that:

In democratic states, accountability relationships help to ensure that decision - makers adhere to publicly agreed standards, norms, and goals: citizens grant their governments powers to tax, to spend, and to enact and enforce laws and policies. In return, they expect the government to explain and justify its use of power and to take corrective measures when needed...

Having discussed the concept of accountability and its relevance, the next issue to consider is the mechanisms, processes or means by which officials may be held to account. Generally, the electoral systems are often used to make power holders accountable, but Agrawal and Ribot (2002) claims that while electoral mechanism may be used to make local representatives accountable, even the best crafted electoral processes may not be enough. Other means identified to make local leaders in general

accountable include provisions for recall, citizens oversight of the procurement processes, referenda, reporting back to the community, legal recourse to the courts, formal complaints, appeal and petition procedures, third party monitoring by the Media, NGO or independently elected controllers, auditing and evaluation, lobbying by associations and movements, providing information on the role and obligations of duty bearers by media and NGOs. Other mechanisms are public reporting requirements for governments, public meetings, education, performance awards, widespread participation, the duty to conduct public meetings in public, threats of social unrests and resistance, and central government oversight of local government.

2.11 Theoretical Framework

This study, purporting to investigate the nexus between Ghana's laws and policies, administrative decentralization and the actual implementation of such laws by the key actors, falls within the sphere of power. This is because the acquisition of political legitimacy; the act of making decisions to affect people in one way or the other; and access to and control of financial and human resources by an entity such as decentralized bodies confer power to such entities. On the otherhand, the entity that used to possess such attributes would have to give up, at least, some of its power. It is therefore most appropriate to situate the current study within the theories of power. This way, the researcher would be able to draw on the existing knowledge about power for the analysis of the actions of stakeholders and actors within the drama of administrative decentralization.

For insights into theories of power, the researcher focused on Hobbes, Weber, Dahl, Stephen Lukes and Michel Foucault among others. Modern thinking about power begun in the writings of Nicollò Machiavelli (*The Prince*, early 16th century) and Thomas Hobbes (*Leviathan*, mid-17th century). (Clegg, 1989, in Sedan, 2004). While

the Machiavellian conception represents the strategic and decentralized thinking about power and organization, and sees power as a means for seeking strategic advantages, power in Hobbes's view is centralized and focused on sovereignty. According to Hobbes' basic premise, there exists a total political community, the embodiment of which is the state, or the community, or the society. Max Weber (1947) continued the Hobbesian line and developed further the organizational perspective of power. Weber's approach to power connected with his interest in bureaucracy, and linked power with concepts of authority and rule. He defined power as the probability that an actor within a social relationship would be in a position to carry out his will despite resistance to it. The activation of power is dependent on a person's will, even in opposition to someone else's. On his part, Weber identified three sources of formal authority that activate legitimate power, or accordance of social permission, for the activation of power as the charismatic, the traditional, and the rational-legal. Robert Dahl (1961) in building on Weber's approach, discussed power in the context of the organization and its structures. Dahl located the discussion of power within the boundaries of an actual community and his particular interest in understanding the behaviour of ruling élites. According to his *theory of community power*, power is exercised in a community by a particular concrete individual, while other individuals, also actual, and are prevented from doing what they prefer to do. Power here is exercised in order to cause those who are subject to it to follow the private preferences of those who possess the power. Power is the production of obedience to the preferences of others, including an expansion of the preferences of those subject to it to include those preferences.

Steven Lukes (1974) shifted the discussion from *community power* by introducing a three-dimensional model into the discussion of the subject. The third dimension that Lukes added to the discussion of power was the *latent dimension* of power. While the

overt dimension of power deals with declared political preferences, as they reveal themselves in open political play, and the covert dimension deals with political preferences that reveal themselves through complaints about political non-issues, the third dimension deals with the relations between political preferences and *real interests*. Power, according to Lukes, is measured also by the ability to implant in people's minds interests that are contrary to their own good. Gaventa's Theory of Power (Gaventa, 1980) focused on quiescence. He established, among others that, the purpose of power is to prevent groups from participating in the decision-making processes and also to obtain the passive agreement of these groups to this situation. A silent agreement, then, is not an expression of a desire not to participate, but evidence of a mute compliance with the situation. Michel Foucault (Foucault, 1979, 1980, 1996) extended the discussion of the concept of power from sociology to all the fields of the social sciences and the humanities. His approach systematically rejects the belief in the existence of an ordered and regulating rational agency. In Foucault's world there is no source from which actions stem, only an infinite series of practices. Decentralization of the position of power is one of the greatest innovations of his thinking.

Also, the motivations of human action, such as the decision to decentralize power have been investigated since time immemorial. Ranging from Emmanuel Kant (1724 -1804), Wilhelm Dilthey (1833-1911), Heinrich Rickert (1863-1936) to Max Weber (1864 - 1920) and Jürgen Habbermas (1929) much efforts have been spent to discuss the motivations of human action or inaction. Weber having defined sociology as "a science which attempts the interpretive understanding of social action in order thereby to arrive at a causal explanation of its course and effects'(1947: 88 in Scott and Edles, 2008), turned to understand the states of mind or motivations that guide social action or individual behaviour. He defined "social action" as that which "by virtue of the

subjective meaning attached to it by the acting individual (or individuals) it takes account of the behaviour of others and is thereby oriented in its course. Such action can be either observable or internal to the actor's imagination, and it can involve a deliberate intervening in a given situation, an abstaining of involvement, or acquiescence. Weber identified four types of social action as *Instrumental Rational Action; Value Rational Action; Affective Action and Traditional Action*. While instrumental action, for example, is geared toward the efficient pursuit of goals through calculating the advantages and disadvantages associated with the possible means of realizing them, value rational action involves the strategic selection of means capable of effectively achieving one's goals. Such actions may not necessarily aim at achieving one's objectives as such, but they are still pursued in fulfilment of one's compelling values and beliefs. Rooting his concept of Communicative Action in those of his predecessors such as Weber and others, Habermas condemned the earlier formulations of human action as inadequate for over emphasising instrumental, power and technical ends, which in most cases were pursued for unilateral gain. To fill this gap, Habermas draws on the work of symbolic interactionists and phenomenologist and linguistic philosophers to develop his notion of "communicative rationality" or "communicative action"(Scott and Edles, 2008: 723.) He defined Communicative rationality as the process in which individuals come to mutual understanding and consensus through open, non-coercive debate and discussion freed from the corrosive effects of money, power, and manipulation. While it is capable of satisfying the requirements of other forms of rationality, communicative rationality and action also allows for the negotiation of shared meanings, the coordination of action, and the socialization of individuals.

Ghana's decentralization seeks to establish a communicative rationality in decision-making by the passage of laws and policies that transfers power and resources to local actors, thus providing a platform for local residents, regardless of their status, to agree on shared goals and strategies for the realization of their common interests. This study purports to ascertain the extent to which this dream, as they are captured in the laws, is actually being implemented in the drama of different stakeholders, some of who have traditionally wielded power, while others did not.

CHAPTER THREE

METHODOLOGY

3.0 Introduction

In this chapter, the researcher outlines his foundational philosophy and paradigm guiding the process of the inquiry, the research approach adopted, as well as the theoretical framework that guided the explanation of the data. Also covered in the chapter is the researcher's framework for the collection and analysis of data on the topic being studied and the selection, as well as basic information about the three case studies.

3.1 The Philosophy and Paradigm of the Study

All endeavours to create knowledge in the field of the social sciences must rest on some set of basic beliefs and assumptions about the nature of reality and how one must approach the search for knowledge. These fundamental beliefs of the researcher may be called a paradigm. Having been defined by Kuhn (1970) as a basic orientation to theory and research, a paradigm has also been defined as an integrated set of assumptions, beliefs, modes of doing good research, and techniques for gathering and analysing data (Neuman, 2007: 41). According to Guba and Lincoln (1996), questions of method are secondary to questions of paradigms, which they defined as 'the basic belief system or worldview that guides the investigator, not only in choices of method but in ontologically and epistemologically fundamental ways'(p.105). For Bateson (1972: 320), all qualitative researchers are philosophers in that universal sense in which all human beings are guided by highly abstract principles. These principles combine beliefs about ontology (what is the form and nature of reality and therefore, what is there that can be known about it?), epistemology (what is the nature of the relationship between the knower or would-be knower and what can be known?) and methodology (how can the inquirer (would-be knower) go about finding out whatever he or she

believes can be known? (Guba and Lincoln, 1996 :108). These beliefs shape how the researcher sees the world and acts in it. The researcher is "bound" within a net of epistemological and ontological premises, which regardless of ultimate truth or falsity becomes partially self-validating (Bateson, 1972:314). This net that contains the researcher's epistemological, ontological and methodological premises may be termed a paradigm (Guba, 1990:17 in Denzin and Lincoln, 1994:13) or interpretive framework, a "basic set of beliefs that guide action". They asserted further that the subscription to a particular ontological assumption bounds one to a particular epistemology and hence a given methodology. Below, in figure 1.1 is the researcher's synthesis of the relationship between the three key components of research paradigm and the questions they need to address.

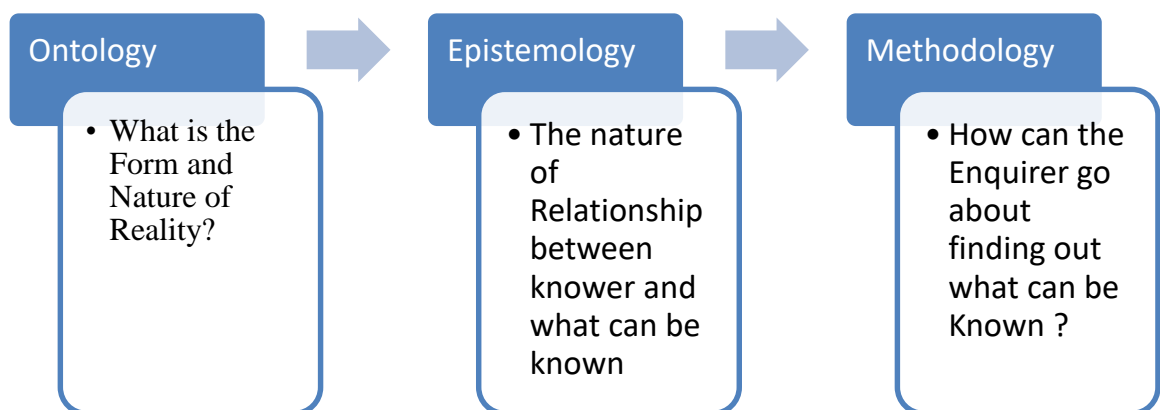


Figure 3. 1 The Relationship Between Belief of the Nature of Knowledge and Approach to Inquiry

Source: Author's Construct.

According to Neuman (2007), the three fundamental paradigms or research approaches used by social scientists are *positivism*, *interpretive* and *critical* approaches, though each paradigm has its own internal divisions and offshoots. Positivism sees social science research as fundamentally the same as natural science research with

assumptions such as value freedom, replicability of results, law-based explanations and precise quantitative measurements. On the other hand, the interpretive approach, while remaining scientific, adopts a different approach based on its own paradigm. Neuman (2007) argues that most researchers who use the interpretive approach adopt a version of the constructionist view of social reality. This view holds that human social life is based less on objective, hard, factual reality than on the ideas, beliefs, and perceptions that people hold about reality. In other words, people socially interact and respond based on much, if not more, on what they believe to be real than what is objectively real. This means that social scientists will be able to understand social life only if they study how people go about constructing social reality. Interpretive researchers are therefore sceptical of the positivist attempts to produce precise quantitative measures of objective facts. This is because they view social reality as fluid. For most humans, social reality is largely the shifting perceptions that they are constantly constructing, testing, reinforcing, or changing and that have become embedded in social traditions or institutions. For this reason, interpretive researchers tend to trust and favour qualitative data. They believe that qualitative data can more accurately capture the fluid processes of social reality. In addition, they favour interpretive over causal forms of theory. Interpretive researchers are not likely to adopt a nomothetic approach, but instead, favour an idiographic form of explanation and use inductive reasoning. Idiographic literally means specific description and refers to explaining an aspect of the social world by offering a highly detailed picture or description of a specific social setting, process or type of relationship. For example, qualitative researchers do not see replication as the ultimate test of knowledge. Instead, they emphasize *Verstehen*. *Verstehen* is the desire of a researcher to get into the worldview of those he or she is studying and accurately represent how the people being studied see the world, feel about it, and act.

In other words, the best test of good social science is not replication, but whether the researcher can demonstrate that he or she really captured the inner world and personal perspective of the people studied"(pp. 42-44).

For this study, the researcher shall adopt the philosophies and traditions of the Constructivist - Interpretive Paradigm that also subscribes to the social construction of knowledge. Based on the belief in this philosophies, the researcher assumes a relativist ontology - that there are multiple realities and a subjectivist epistemology - that the knower and subject create understanding within a naturalistic environment and hence the adoption of a qualitative design.

The study shall therefore be qualitative in approach. As such, the ontological position guiding it is one of multiple reality with the belief that all participants in the research process including the researcher and research subjects have their own experience of reality. Also in accord with the constructivist tradition, the researcher will rely on multiple sources of evidence and information. According to Creswell (2013) the goal of research here, then, is to rely on as much as possible the participants' views of the situation. Often, these subjective meanings are negotiated socially and historically. In other words, they are not simply imprinted on individuals but are formed through interaction with others (hence social construction) and through historical and cultural norms that operate in individuals' lives). Finally, in accordance with this philosophical approach (constructivist and Interpretivist), the epistemological assumption of the study is one that believes that researchers must get as close as possible to both research sites and subjects in order to understand the truth about the lived experiences of research subjects. Similarly, the procedures and logic of the study will be inductive, that is, from the ground up rather than handed down entirely from a theory or from the perspective

of the inquirer. This will also allow for flexibility in the processes and methods of data collection.

3.2 The Researcher's Approach to the Inquiry into Ghana's Decentralization

Creswell (2013) and others generally identified five major but related approaches of enquiry from which the qualitative enquirer may choose. These are the Narrative, Ethnographic Case study, Phenomenology and Grounded Theory Studies. While narrative research seeks to explore the life of an individual, Phenomenology on the other hand focuses on understanding the essence of one's lived experience. Grounded Theory aims at developing a theory grounded in data collected from the field, as Ethnography is concerned with describing and interpreting a culture - sharing group. For a Case Study, the researcher is motivated by a desire to develop an in-depth description and analysis of a case or multiple cases. Bryman (2007) posits that research methods can be associated with different kinds of research design. The research design represents a structure or framework that guides the execution of a research method and the analysis of the subsequent data. The research method is simply a technique for collecting data (p.27).

The study was designed primarily as Multiple Qualitative Case Study. Qualitative case study is an approach to research that facilitates an intensive and extensive exploration of a phenomenon within its context using a variety of data sources. This ensures that the issue is not explored through one lens, but rather a variety of lenses that allows for multiple facets of the phenomenon to be revealed and understood. Both Stake (1995) and Yin (2003) based their approach to case study on a constructivist paradigm. Constructivists claim that truth is relative and that it is dependent on one's perspective. This paradigm "recognizes the importance of the subjective human creation of meaning, but does not reject outright some notion of objectivity. Pluralism, not

relativism, is stressed with focus on the circular dynamic tension of subject and object” (Miller & Crabtree, 1999, p. 10). One of the advantages of this approach is the close collaboration between the researcher and the participant, while enabling participants to tell their stories (Crabtree & Miller, 1999). Through these stories, the participants are able to describe their views of reality and this enables the researcher to better understand the participants’ actions (Lather, 1992; Robottom & Hart, 1993 in Baxter and Jack, 2008).

Again, regarding when one could employ a case study, Yin (2003) asserts among others that a case study design should be considered when: (a) the focus of the study is to answer “how ”and “why” questions; (b) you cannot manipulate the behaviour of those involved in the study; (c) you want to cover contextual conditions because you believe they are relevant to the phenomenon under study; or (d) the boundaries are not clear between the phenomenon and context it occurred. In this study, the researcher adopted Case Study as the best approach since, besides the fact that the focus is to answer how administrative decentralization and local accountability is being implemented and why the current situation exists, the researcher also believed that the behaviour of participants could not be manipulated. Further, the researcher conducted the study within the contextual conditions of the decentralized system which might be viewed as key to understanding the situation.

3.3 Approval Procedures and Quality Assurance Processes

The Study was taken through a series of procedures and processes at the Department of Sociology as well as the Ethical Committee of the University of Ghana to ensure that the outcome will not only address relevant problems, but also contribute to knowledge while respecting the highest ethical standards. Firstly, a Proposal for the study was submitted to the department of Sociology for approval. This was followed by a seminar

presentation at the department where several comments, questions and suggestions were made with the aim of clarifying the purpose, objectives and methodology being proposed to address the research questions. The various suggestions from particularly the Supervisors led to some form of review of the topic from a broad study of Ghana's decentralization to a much narrower objective focusing on Administrative decentralization and accountability. Having made all necessary corrections emanating from the Seminar, after which a departmental approval was secured, the proposal was again submitted to the Ethical Committee for Humanities (ECH) of the University of Ghana for further approval. Documents submitted to the ECH for review and approval were letters of approval of the proposal from the Head of Department of sociology and supervisors, Protocol Consent Form forms for research respondents, Questionnaires and Instruments, Curriculum Vitae of Supervisors and Investigators, Work Plan and Budget for the Study. Having subjected these documents to its own quality assurance processes, the ECH made suggestions for corrections that were addressed by the researcher.

As part of the preparation for the fieldwork, the researcher obtained an introductory letter from the Head of Department, copies of which were given to the Coordinating Directors, Heads of Decentralized Department as well as Presiding Members of all the three Assemblies forming the Case studies. The letter introduced the researcher as a student of the University of Ghana, the topic being studied and a request for the assistance of all the recipients to support the researcher in any way necessary to enable him achieve the objectives of the study. This procedure led to the introduction of the researcher by the Presiding Members to all the assembly members during the general assembly meeting of all the case studies. It was also very helpful as it cleared the minds of most of the respondents to provide the necessary information. This notwithstanding,

some respondents were still very cautious in releasing information, but the use of multiple sources of evidence by the researcher ensured that most of the information that were retained by one respondent were released by other sources. Another quality assurance measure carried out by the researcher to prepare field assistants adequately for data collection included the provision of intensive orientation to them on listening skills, how to ask good questions, how to take field notes, the interpretation of interview guides, interviewing processes, how to record responses and their general conduct when they went before the respondents. Finally, all interview guides were pretested on the field before the full research process begun. This exercise proved to be very useful in that the feedback and experience gathered were used to make corrections in terms of sequencing of questions, avoidance of repetitions and reduction in the number of questions.

3.4 Selection of the Case Studies

The researcher purposively selected the Gomoa West District (fig.3.6), Yilo Krobo Municipal (Fig.3.5) and Tema Metropolitan (Fig.3.4) Assemblies all from southern Ghana (fig.3.1) not only because they were perfect representatives of all the forms of Ghana's local government, but they were also chosen for other good reasons. First, the literature revealed that the selected Assemblies had not been studied much in any of the topical subjects under decentralization, let alone being studied on the current topic. Again in 2015, a study jointly sponsored by the Ghana office of the UNICEF and the Centre for Democratic Development (CDD) titled *Strengthening Social Accountability for National Development* ranked Tema Municipal Assembly and the Gomoa West District Assembly first (scoring 77%) and last (scoring 37%) respectively. With the vast difference in their performance, the researcher found these two assemblies in particular to be well placed for inclusion in the current studies as special cases. The UNICEF

study, which used a six-point assessment criteria i.e. quality of education, security, sanitation, water, health and governance for the assessment of the performance of all the 216 local governments, also placed the Yilo Krobo Municipal Assembly in the middle of the ranks (179th position), scoring 48.3%. As of December, 2015, Ghana operated a total of two hundred and sixteen (216) local governments. Of these number, one hundred and sixty-two (162) were District Assemblies; forty-eight (48) were Municipal Assemblies and six (6) Metropolitan Assemblies. To qualify as any of these, a Metropolitan Assembly, by law, should be a one compact settlement with a population of at least two hundred and fifty thousand (250,000); a Municipal Assembly must also be one single compact settlement of at least ninety-five thousand (95,000) inhabitants, while a District Assembly should be a cluster of settlements (mostly rural) with at least a total population of seventy-five thousand (75,000). The researcher believes that a cross sectional analysis covering at least one each of the Municipal, Metropolitan and District Assemblies is more likely to yield better analytic generalization than in the case where, for example, only a single case might be used. 'The evidence from multiple cases is often considered more compelling and the overall study is therefore regarded as more robust'(Yin, 2003; Herriotte and Firestone, 1983).

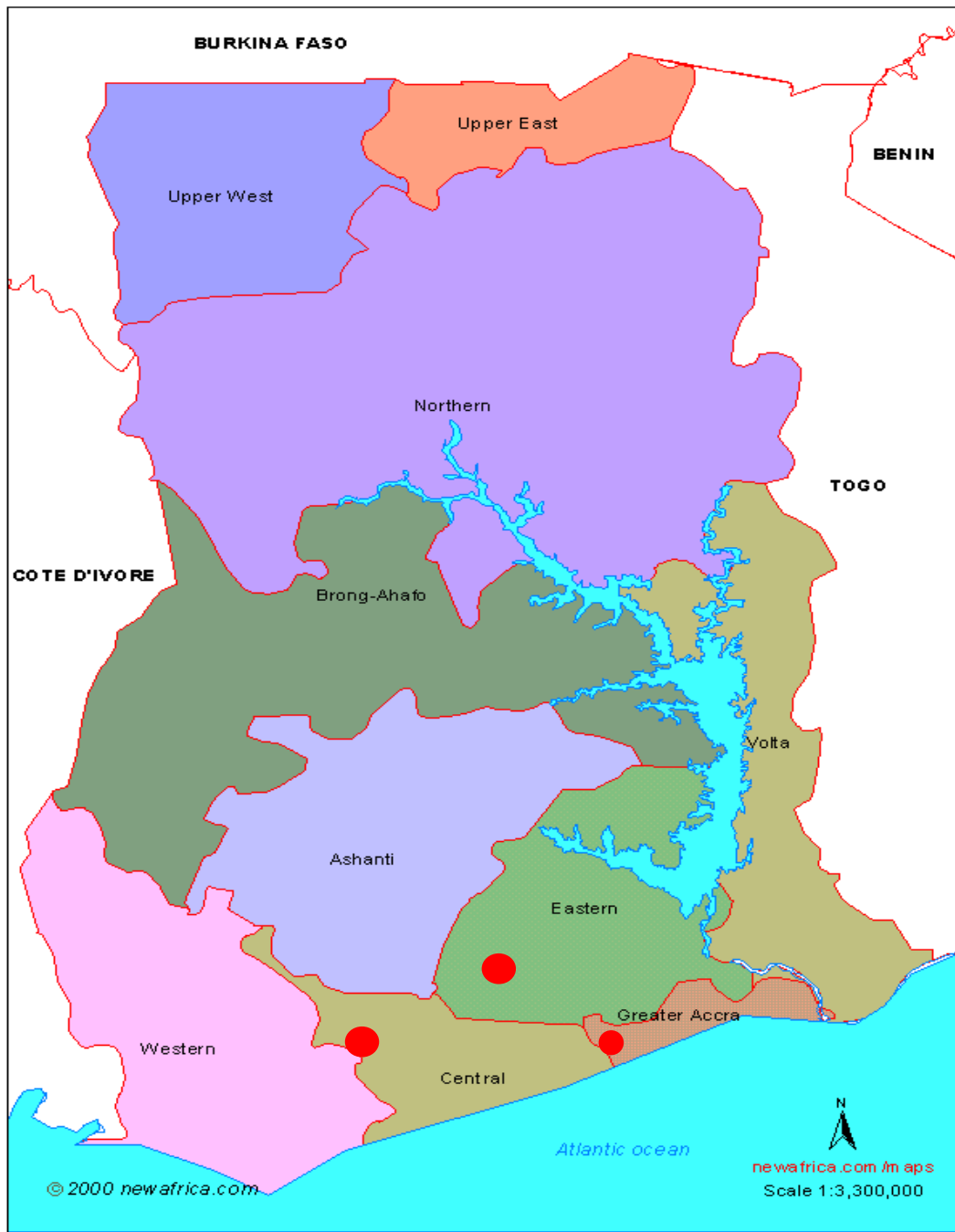


Figure 3. 2 Administrative Map of Ghana Indicating The Three Regions of The Study Districts.

3.4 Units of Analysis

At each of the Assemblies, the embedded cases that the researcher focused the studies on were the Central Administration of the case study Assemblies and their decentralized departments, Sub metropolitan District Councils, Zonal, Urban, Town

Councils and unit Committees. Within each of the Central Administration, participants included the Metropolitan, Municipal and District Chief Executives, Coordinating Directors, Finance Officers, Internal Audit officers and Engineers. The rest at the central administration were Human Resource Officers, Planning Officers the Local Government Inspectors, Assembly members including the Presiding Members and Chairpersons of Sub - Committees. The Decentralized Departments involved in the study included Departments of Education, Youth and Sports, Works Department, Budget and Rating Department and Department of Health among others. All the District Directors of these Departments took active part in providing information. Within the Substructures, participants included Secretaries, Chairpersons and some members of the Sub Metropolitan District Councils, Urban, Town Zonal and Area Councils. Finally, all Chairpersons and Secretaries of selected Unit Committees were also captured.

From these sources and participants, the researcher collected relevant information about the units of analysis as they are captured in the research questions. For each of the units of analysis, information were collected from more than one source, all of which were considered by the researcher to possess adequate knowledge about the issue. The use of these various sources of information was to ensure respondent triangulation that enabled the researcher to verify similar information from one source with those provided by other sources. The researcher found this method to be extremely beneficial to the purpose of the study. Interview Guides for the collection of data and specific respondents for the collection of data on the units of analyses is available in appendixes 3.4, 3.5, 3. 6 – 3.14.

3.5 Data Collection Procedures

From each of the three assemblies, the purposive sampling method was employed to collect data from key informants as identified in the previous section, using multiple

methods of data collection. These methods included the use of interview guide (Appendixes 3.4 – 3.14) to conduct in-depth interviews with all key informants. Key informants for the entire study included District, Municipal and Metropolitan Chief Executives, Coordinating Directors, Development Planning Officers, Finance Officers, Human Resource Officers, Officers of Audit Departments and District Engineers from Works Department. Specific information collected from these officials included issues pertaining to the state of decentralized structures, power to manage human resources according to decentralized principles as indicated by policy, decentralized development planning and management, procurement, Budgeting and Financial Management, Auditing and horizontal and downward Accountability. Other key informants included Presiding Members, Assembly Members and Chairpersons of Assembly Sub Committees, Directors of Sub Metropolitan District Councils, Chairpersons of Urban, Town and Area Councils and Chairpersons and Secretaries of Unit Committees. Presiding Members and Assembly Members provided information on the same issues as the administrators to serve as a means of collecting more information and also triangulation. District Directors of Education and Health provided information on the extent of coordination and integration of their Budgets and programmes with those of the Assemblies. Leaders of Urban, Town, Area Councils and Unit Committees also provided further information about the state of the decentralized structures and the role of the Assembly among others. The in-depth interviews particularly proved to be very useful as it provided opportunity for face - to - face discussion with all key actors of Ghana's decentralization as well as making room for probing for further explanations, clarifications and cross - checking of any similar but contrary information that were provided by other sources.

Responses to all questions were recorded in field notebooks instead of the researcher's original plan to use digital recording device since almost all respondents showed great discomfort with the use of the device to record them. These position by the respondents was immediately understood by the researcher since the study took place not long after some investigative journalists had used recording devices to expose some bribery activities by some officials of Ghana's justice system. The researcher also found that the use of other methods of recording other than the digital recorder enabled respondents to provide more truthful information without the fear of being victimized later for 'exposing' or revealing sensitive information to anyone. Furthermore, for the purpose of obtaining more information as well as to witness the real scene/drama of local government actors on stage, the researcher undertook an open observation of live proceedings in all the case study assemblies as well as some of the meetings of the substructures (Fig.3.2 and 3.3) below. With prior permission from the Presiding Members of each of the Assemblies, the researcher sat in the general assembly meetings to observe proceedings and took notes of relevant issues that emerged for further clarifications and information. This method of data collection also proved to be very productive for the research questions since among others, it provided the opportunity to collect more information and validate some of the data that had either been collected already or yet to be collected. Finally, the researcher used documentary sources to collect more information relevant for the study. Specific documents that were examined were minutes of general assembly and subcommittee meetings, Composite Budget documents and Medium Term Development Plans.

A summary of sources of data, research participants and data collection methods used at each of the case study locations etc. are shown in appendixes 3.1, 3.2 and 3.3 respectively.



Figure 3. 3 Tema Metropolitan Assembly at a General Assembly Meeting



Figure 3. 4 The Researcher in a Focused Group Discussion with Leaders of some Unit Committees and Area Councils in Gomoa West

3.6 Ensuring Reliability and Validity of Findings

Both reliability and validity are concepts in research that are primarily concerned with the correspondence of findings to reality, that is a measure of the credibility, truthfulness, consistency, verifiability, representativeness and reliability of findings over time and space (especially in quantitative research). As concepts that are more familiar in the positivist traditions, some, such as Stenbacka (2001), argues that the concept of reliability in particular is misleading in qualitative research (p.551). On the other hand, others including Patton (2001) are of the view that validity and reliability are two factors which any qualitative researcher should be concerned about while designing a study, analysing results and judging the quality of the study. This view corresponds to the question that 'How can an inquirer persuade his or her audience that the research findings of an inquiry are worth paying attention to?'(Lincoln & Guba, 1985, p.290 in Golafshani, 2003, p. 601).

Healey and Perry (2000) on their part asserts that the quality of a study in each paradigm should be judged by its own paradigm's terms. For example, while the terms, reliability and validity are essential criterion for quality in quantitative paradigms, in qualitative paradigms the terms credibility, neutrality or confirmability, consistency or dependability and applicability or Transferability are to be the essential criteria for quality (Lincoln and Guba, 1985). In addition to these criteria, others including Seale (1999), adds trustworthiness. 'Trustworthiness of a research report lies at the heart of issues conventionally discussed as validity and reliability'(p.266). Still others like Mathison (1988) stresses triangulation as a worthy quality criterion in qualitative research. 'Triangulation has emerged as an important methodological issue in naturalistic and qualitative approaches to evaluation (in order to) control bias and to

establish valid propositions because traditional scientific techniques are incompatible with this alternate epistemology' (p.13).

Taking a cue from the foregoing, the researcher accorded great importance to the need to collect, analyse and report information that will not only represent the views of the research subjects, but more importantly, that it must be accurate, truthful and should represent the true state of affairs at the particular case study. To achieve this, the researcher adopted multiple approaches and strategies in the collection, analysis and reporting of findings. Foremost among these was the use of triangulation strategy especially in the collection of data to improve depth, verification and correction of false information. To these ends, the researcher employed multiple methods of data collection such as informal personal conversations, interview guides, examination of some reports and records, focus group discussions (fig.3.3), participant observation (fig.3.2). Besides methodological triangulation, the researcher used multiple sources of evidence (as indicated in the methodology section) for data collection. These sources included elected and appointed Assembly Members, local Public and Civil Servants, Civil society groups and political appointees. Among these, the researcher focused more on those with the longest experience in local government and decentralization measured by the number of years that one had served within the system. Also, the researcher sought to enhance philosophical trustworthiness and credibility for the study by maintaining consistency of design, methods of data collection, data analysis and reporting with the philosophical orientation of Constructivism and Interpretism. Finally, the views, comments and suggestions offered by the supervisors of this study served the role of an expert's audit which contributed immensely to improve the quality of the processes involved in the study, and hence the results.

3.7 Analysis of Data

Having done with data gathering, the researcher proceeded to the data analysis phase of the research. The range of activities carried out here at this stage included editing of data, compiling or organizing the pieces of data collected from the various sources into a database and rewriting sentences fully, instead of the short forms that were used to record them during the field interview sessions. The researcher carried out these processes separately for each of the three case studies involved in the study. The organization of the relevant data was based on the responses provided to the research questions as they were guided through by the study protocol, which also facilitated the development of codes for the analysis. Next, the researcher read through the entire 'database' which at this stage was made up of groups of responses given by the various participants to same issues under investigation. This made it possible for the investigator to make sense of the entire database as organized under each research question. By reading through this data several times, the researcher took special notice of similarities as well as contrasts that existed among the different respondents with regards to the same questions. This process also enabled the researcher to build detailed descriptions of the true situation of the research questions as revealed by the various data categories.

Through coding, the data was taken through a process of classifying text data segments into a set of codes (concepts), categories (constructs), and relationships. Strauss and Corbin (1998) identified three levels of coding, which may be used for the analysis of such data. These were the Open Coding, Axial Coding and Selective Coding. Open coding is a process aimed at identifying concepts or key ideas that are hidden within the textual data, which were potentially related to the phenomena under study. This exercise enabled the researcher to examine the raw textual data line by line to identify

events, ideas, actions, perceptions and other issues of relevance to the theme of study. At the second stage, the researcher performed an axial coding which involved a "second pass" through the data. Here the researcher focused on the initial codes more than on the actual data. The researcher then built linkages among the concepts and also made in-depth analysis of relationships among the various issues that emerged. In the final stages, the researcher performed selective coding which involved scanning through the data and previous codes to look for cases that illustrate the relevant themes as comparisons where contrasts were also noted. At this stage the researcher scanned through the entire data to look for generalizable trends from which also, conclusions were drawn. The final stages of the analysis consisted of interpretation of the results or data by making sense of it, and abstracting out beyond the evidence to the larger meaning of the facts available. As in most qualitative science, the interpretations were based on combinations of ideas and constructs in the existing body of knowledge in social science literature, as well as the researcher's personal insights and intuition. Though the generalization of findings is traditionally not the primary aim of such studies, the researcher could generalize the conclusions from these case studies to other District, Municipal and Metropolitan Assemblies in Ghana under the principle of *Proximal Similarity* (Patton ,2002). This is because all the *Assemblies* are supervised and controlled by the same central government using the same policies and laws, and as such relate in a similar way with central government. The purpose of the study was mainly exploratory and descriptive, that is, to examine what is actually happening within Ghana's decentralization, capture the experience of key stakeholders and their interpretation of the current state of affairs as well as what their hopes and concerns are regarding the nation's decentralization and local government.

3.8 The Analytical Framework for Analysing Ghana's Administrative Decentralization

To effectively examine and also carry out the objectives of the study, the investigator developed a hybrid framework synthesised from three other frameworks. These three Frameworks used were *Administrative Decentralization* (Social Development Notes, 2010); *Administrative Decentralization: Framework for Improved Governance, Accountability and Performance* (Cohen and Peterson,) and *an Analytical Framework for Assessing Decentralized Local Governance and the Local Public Sector* (Jamie Boex and Yilmaz, 2010). Such a combination was found to be necessary since the investigator considered none of the individual frameworks to be adequate to cover the objectives of the current study, which at the same time must also capture the full extent of the legal and policy frameworks of Ghana's decentralization. Using the relevant aspects of these frameworks together, the investigator was assured that the study could capture the most critical components of Ghana's Administrative decentralization as well as local accountability both in theoretical terms as well as the aims and objectives of the country's decentralization. With the foregoing considerations, the study focused among others, on the legal and policy framework of Ghana's Decentralization, the current state of implementation of policies relating to decentralized institutions ranging from the District Assemblies down to the Unit Committees; the discretion possessed by the Assemblies and decentralized bodies to take decisions, prepare and implement development plans; discretion for public financial management and procurement. Other areas of focus included discretion over human resources administration and the level of competence it possesses to plan, and coordinate. Finally, the state of accountability of decentralized actors was assessed, especially the local executive and lawmakers to the people and their representatives as well as the role of Civil Society Organizations (CSOs) in governance.

3.9 The Study Areas

This section introduces and present basic information about the study areas. It begins with the Tema Metropolitan Assembly, followed by the Yilo Krobo Municipal Assembly and finally, the Gomoa West District Assembly.

3.9.1 Tema Metropolitan Assembly

Tema, the name of the town that provides the Metropolitan Assembly with its name , was believed to have been created out of a cluster of small fishing villages that were founded by some migrant Ga fishermen who were known as the Kpeshie's. The town experienced rapid growth to its current metropolitan status after the construction of Ghana's main harbour there in 1961 and subsequent localization of Ghana's main manufacturing industries there. The Tema Metropolis is now an industrial and a harbour coastal district located about 30 kilometres East of Accra, the capital city of Ghana. The Greenwich Meridian (i.e. Longitude 0°) passes through the Metropolis, which meets the equator or latitude 0° in the Ghanaian waters of the Gulf of Guinea. The Metropolis covers an area of about 396km² with Tema as its capital and lies within the coastal savannah zone. It shares boundaries on the North East with the Kpone Katamanso and Ningo-Prampram Districts; to the South-West by Ledzokuku Krowor Municipal; North-West by Adentan Municipal and the Ga East Municipal, to the North by the Akuapim South District and to the South by the Gulf of Guinea. A map of the Metropolitan Assembly is shown in figure 3.4.

The total population of the Tema Metropolitan Assembly was 292,773 (Ghana Statistical Service, 2010). This consists of 139,958 males representing 47.8% and 152,815 females representing 52.2%. Also, 94.5 percent of the inhabitants were Ghanaian by birth, 0.5 % naturalized citizens and 2.5% were foreigners. In 2014, the Assembly estimated its projected population at 324,429 persons. Of the total

population, 66.7 percent were economically active (15 - 64-year age group), while 29.4 percent were children (0 - 14-year age group). Ghana's 2010 population census data showed that the metropolis is home to 166,506 migrants, constituting 56.9 % of the population, out of which 75.3% were born elsewhere in another region. This large percentage of migrant population should not be a surprise since Tema's position as the most industrial city in Ghana is able to attract many immigrants from both Ghana and other West African Countries. The highest proportion of the migrants came from some of the closest regions, including the Eastern Region of Ghana (23.1%), Volta Region (22.6%) and Central Region (22.4%). Dominant ethnic groups include the Akan, Ga-Dangme, and Ewe.

The 2010 Population and Housing Census indicate that the Metropolis has a total housing stock of 40,956 out of a total national housing stock of 3, 392, 745. It also has 70,797 households, and an average household size of 4.1, higher than the regional average of 3.8 percent. Of the total households, 22.4% are nuclear families (head, spouse(s) and children; 19.4 extended families (head, spouse(s)children and relatives; 16.9% single parent extended and 14.1% were head and other composition, while 4% were head only. Within the population, 37.8% were married, 47.8% never married, 3% divorced; 3.9 % widowed; 5.4% living under consensual union and 2.2% separated. It is worthy of note that among the married population, 6.3% were within the ages 10 - 14 though the law does not permit such young girls to be given in marriage. Overall, 33% of Males and 17.4% were found to be household heads.

Religion was found to occupy an important place in the life of the people of the Tema Metropolitan Assembly. With the exception of just 2.3% of the total population, all others believe in the existence of the supernatural. Christianity predominates with 90.2% of the total population, and Islam, 6.3%; those with no religion 2.3% and others,

1.2 percent. Among the Christian denominations, the Pentecostal/Charismatic constitute 45.2%. The metropolis can also boast of a very high literate population with 91% of the population above eleven years being literate. Out of these, 48.8% were literate in English and a Ghanaian language; 44.4% in English only and 3.2 percent in a Ghanaian language only.

After its official commissioning in February, 1962, the Tema harbour has attracted over 500 manufacturing industries, making it the industrial hub of Ghana. These have provided the magnetic force for the attraction of many other service and trading activities. The metropolis had 72 % of its population above 15 years being economically active, out of which 90.4% were employed and 9.6% being unemployed at the day of census in 2010. The sectors of the economy where the employed population were working in included the Private Informal sector, which employed 65.4% of the population. This is followed by the Private Formal sector (23.6%), and the Public sector (9.3%). The occupational composition of the employed were 31.5 percent in service and sales; 20.2 percent in craft and related occupation; 10.4 percent in elementary occupation. Also, 9.8 were professionals; 4.2% engaged in agriculture, including fishing while 4.4% were involved in clerical support roles. The industries in which the majority of the working population were distributed include 26.3% in wholesale; 18.8% in manufacturing, 8.8% in transport and storage and 8.2% in accommodation and food service industry.

Access to potable water is a basic need required for home keeping, good hygiene as well as maintaining health of residents. Majority of residents in the metropolis (over 91%) had access to pipe-borne water, though only about 53% get this water directly from their homes while the others get the water from public standpipes and pipe-borne

water obtained outside dwellings. It is however noteworthy that about 9% of the population had no secure sources of water. These sources include sachet water (6.5%); bottled water (1.1%) and water tanker supply (0.6%). The city gets its water supply from the Kpong Water works though occasional breakdown of the system continue to be a major problem. Regarding access to toilet facilities only 53.1% of the population have access to water closet. Of the others, 30.8% use public toilets while over 16% have no reliable source to attend to nature's call. The major means of disposal of solid waste is through collection by service providers (56.2%); 21.8% dump solid waste in public container and 10.7% through a public open space. For liquid waste, 39.5% is disposed through the city sewerage system while the rest are disposed into the gutters and other inappropriate places. For the main source of lighting for households, 86.7% of households use the national hydroelectricity as source of lighting for homes. In the case of fuel for cooking, 51.7% use gas and 40.2% use charcoal.

Tema was planned using the neighbourhood concept of Town and Country Planning, thereby making each Community almost self-sufficient in basic social services and amenities such as markets and schools. One could still witness some unauthorized developments in many places as a result of the activities of some of the migrant population. The Metropolitan Assembly was serviced by sixty-two (62) health care facilities, out of which 54.2% were public owned and the rest privately owned. A number of schools, ranging from basic to tertiary and both public and private exist in the metropolis to provide education for the inhabitants of the city. These schools were provided mainly by the private sector who owns 185 of the total of 338 schools, while the state owns 153 of the total. Besides the basic and secondary schools, the Data Link University College and satellite Campuses of the Presbyterian University College, the

Kwane Nkrumah University of Science and Technology (KNUST) and Ghana Institute of Management and Public Administration (GIMPA) were located in the City. The main harbour of the nation which was officially commissioned in February 1962 is also located here in the metropolis, thus making the city the most industrialized having attracted over five hundred (500) manufacturing industries and many shipping companies. Some of the goods produced by the industries include chemicals, clothing, consumer electronics, electrical equipment, furniture, machinery, refined petroleum products, steel and tools.

Furthermore, as part of the industrialization policy of the state, a large tract of land has been demarcated and designated as 'Free Zones Area' for the production of industrial goods mainly for export. Production within this area attract almost no tax in addition to other incentives from the state. Also, a canoe beach exists where smaller canoes and boats dock where a fish market also exist. The Akosombo Hydro - Electric dam is the main supplier of electricity for both industrial and domestic use. The main mode of transportation is by road although rail service also exists. The metropolis is served with a total of 1, 237 kilometres of road, out of which 38 km was made of concrete asphalt, while 301km was surfaced dressed, and 898km made up of gravel and earth roads. Most of the roads in the city were therefore of bad condition, and also without drains. The roads also have no bicycle nor pedestrian lanes. These conditions combined have made accessibility quite difficult thus affecting travel time negatively. Finally, over 20 financial institutions provide financial services to the people and business community, while all the major mobile telecommunication companies currently operation in Ghana were also found operating in the city.

The Tema Metropolitan Assembly by law is the Political and Administrative authority mandated to govern the Metropolis. The General Assembly has deliberative, legislative and executive authority over the city. The Assembly is constituted by 32 elected Assembly Members, 14 government appointees, the Metropolitan Chief Executive and 3 Members of Parliament. The members of parliament have no voting rights in accordance with the local government laws. For decentralized governance, there are other three Sub-Metropolitan District Councils, Town Councils and Unit Committees which serve as local government sub - structures that have the responsibility of implementing decisions of the Assembly at the local level. The Assembly was tasked to make laws, including the rules and bye-laws which give legal effect to decisions and also mobilize resources to undertake developmental programmes and activities. Assembly members are elected from the electoral areas every four years through the Universal Adult Suffrage. These members are expected to keep close contact with their electoral areas, consult their people on issues discussed at the Assembly and collate their views and opinions and present to the Assembly.

Administratively, the Metropolitan Chief Executive is responsible for the day-to-day performance of the Executive functions of the Assembly. He is also to supervise the various departments in the Assembly and is the chief representative of the Central Government in the Metropolis. Next to the Chief Executive is the Metropolitan Co-ordinating Director who is a civil Servant and acts as the Secretary to the General Assembly in Session. The Co-ordinating Director performs administrative functions in the Assembly and reports directly to the Chief executive. By law, the various departmental heads and agencies are required to report to the Metropolitan Coordinating Director. While the general Assembly makes decisions, the implementation of those decisions are supposed to be implemented by the Executive

Committee which is made up of one third of the membership of the general Assembly and chaired by the MCE. The committee by law exercise executive, co-ordinating and oversight functions of the Assembly.

The Executive Committee has the following Sub-Committees: Development Planning Sub-Committee; Social Services Sub-Committee; Works Sub-Committee; Education Sub-Committee; Finance & Administration Sub-Committee; Environmental management Sub-Committee; Revenue Mobilization Sub-Committee. The Sub-Committees are responsible for collating and deliberating on issues relevant to the Assembly in its deliberative, executive and legislative function. They submit their recommendations to the Executive Committee for consideration, which are later ratified by the General Assembly. The Public Relations and Complaints Committee, which is chaired by the Presiding Member of the Assembly, also exist to receive complaints from the public concerning any issue they might be having with the Assembly in General or any of the officials. Another Committee is the Metropolitan Security Committee which is chaired by the Metropolitan Chief Executive. It draws its membership from the various Security Agencies in the metropolis, the Police, Army, Navy, BNI, CEPS, Immigration and Fire Service. This body is responsible for all matters relating to security in the Metropolis. All these security agencies have their regional headquarters in the metropolis including Ghana Police Service, Ghana National Fire Service and Customs Excise and Preventive Service

The Tema Metropolitan Assembly is divided into three (3) sub- metropolitan District Councils. They are Tema East, Tema Central and Tema West Sub- Metropolitan Councils. Each Sub-Metropolitan District has a Sub-Metropolitan District Council. The Council is made up of a chairperson elected by the Assembly members, elected

members of the Assembly in the Sub-Metropolitan District and a number of adult residents in the sub- district. The total membership of the council is not less than twenty- five (25). Each Sub-Metropolitan District Council is required to have an administrative officer who is the secretary to the council. Below the Sub -metropolitan District Councils are four (4) Zonal Councils that were constituted for the Metropolitan Assembly. Members of the Zonal Council were drawn from the elected members of the Assembly, members from the various Unit Committees under the Council and some residents appointed by the Metropolitan Chief Executive on behalf of the President. The Zonal Councils are responsible for collecting revenue, implementing bye - laws and performing oversight responsibility over community-initiated projects, among others in their area.

The Traditional authority in Tema Metropolis is embedded in the chieftaincy institution. The authority continues to exist and operate alongside the Modern Local Government system. Although it administers mainly traditional customary matters, they still play an important role in the current governance system in the metropolis. There are two main traditional authorities in TMA. These are the Tema Manhean, and Nungua traditional authorities. The Tema Manhean have their seat of governance in the metropolis. The Nungua traditional authority however has their seat of government in the Nungua area. They are both represented in the General Assembly and are very active in the Assembly's activities. Over the years, these traditional authorities have contributed to the development of the Assembly especially in facilitating the acquisition of land for development. They also settle minor disputes in their areas of jurisdiction. This collaborative effort between the traditional authorities and the Assembly has made

it easy in most cases for the Assembly to implement their plans without any confrontations with the people.

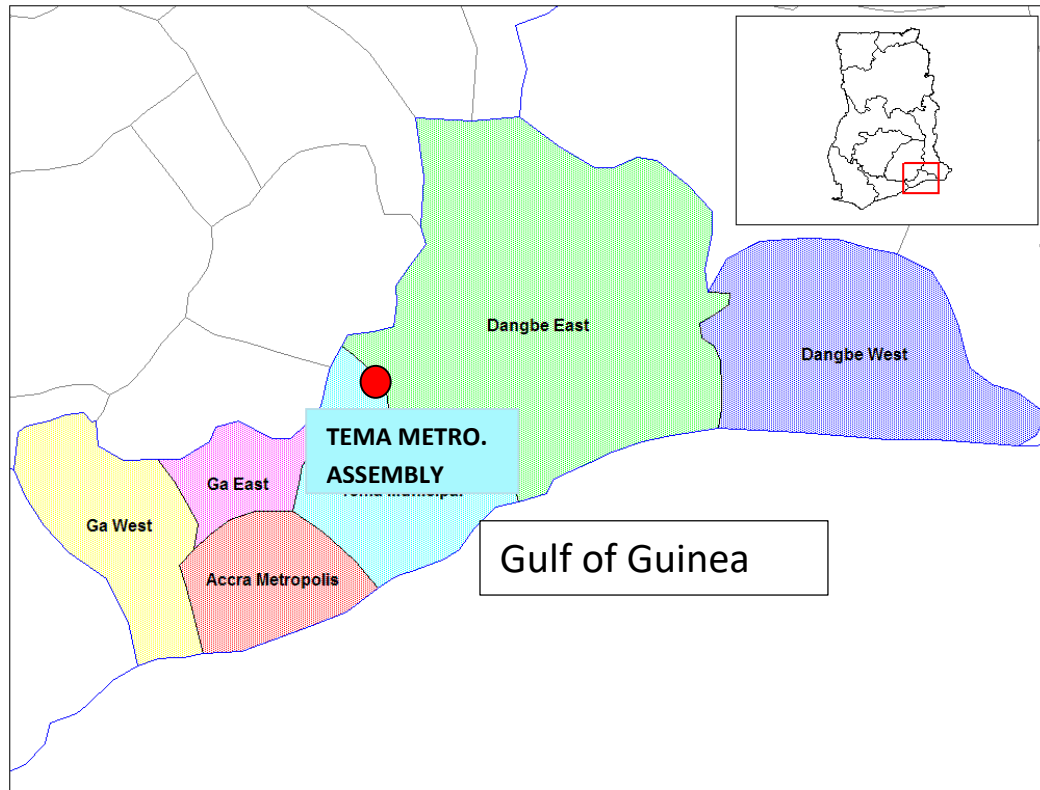


Figure 3. 5 Tema Metropolitan Assembly in the National and Regional Contexts

3.9.2 The Yilo Krobo Municipal Assembly

The Yilo Krobo Municipal Assembly, with Somanya as its capital, lies approximately between latitudes 0'. 30 N and 6'.00 N. and between longitude 0' .30 W. and 1' . 00' W. It covers an estimated area of 805 square kilometres. It is one of the twenty-six (26) Assemblies in the Eastern Region of Ghana and lies 50 km to the East of Accra, the national capital, and also 45km from Koforidua, the regional capital. The Municipality receives an annual rainfall amount of between 750mm in the South West to 1600mm on the slopes of the Akwapim Ranges in the northwest. Before 1988, it existed as local government by name Koaga District Council which comprised Yilo Krobo, Manya

Krobo and Asuogyaman Local Councils. In 1988, it was re-demarcated into three separate District Assemblies known as the Yilo Krobo, Manya Krobo and Asuogyaman District Assemblies. The former District Assembly was established under L.I 1427 in 1988. On February 6th 2012, the Assembly was upgraded into a Municipal status under Legislative Instrument 2051. The Municipal Assembly shares boundaries with seven other district and municipal Assemblies. It shares boundaries with Lower and Upper Manya Krobo Municipal and District to the North and East respectively; Dangme West and Akwapim North to the South and with New Juaben and East Akim to the South - West. To the Western side, it shares boundary with the Fanteakwa District. A map of the Municipal Assembly is shown in figure 3.5 below.

The 2010 National housing and Population census recorded 87,847 as the total Population of the Municipal Assembly. Out of this total, the female population constituted 51.8% while male population stood at 48.2%. Ghanaians by birth constituted 96.3%; naturalized Ghanaians, 0.5 % and non-Ghanaians, 1.7 percent. The Municipality is predominantly rural, with 69.1 percent of the people living in rural areas, while 30.9% lived in Urban communities. In terms of age structure, the Municipality is mostly youthful, having 37% of the population below 14 years old, out of which those between 0 - 4 alone constituted 13%. Those within the ages 15 - 64 year olds constituted 56.5% out of which those below 40 constituted 81.3 percent; and 6.6 % for those above 64 years old. Only 1.3% were above 80 years. The age dependency ratio of the Municipality was 77. This means that every 100 working population will have to feed 77 others made up of those below 15 years and those above 64 years. The sources of the highest number of the in-migrant population in the Metropolis were the Volta, Greater Accra and Ashanti regions.

The Municipality has 20,613 households with a population of 86, 567. Of this total, the rural areas had 13,387 households while the urban areas had 7,226. The average household size for the municipality was 4.2. Of the total number of households, Male heads were 31.5 % while those with Female heads were made up of 16.7%. In terms of household structure, the two main types exist - nuclear and extended family types. These were made up of 26.3 nuclear families and extended families, 24.8%. Other major household types include single parent extended 18.1%; single parent nuclear, 10.2% and head and other composition but not spouse, 8.8%. Regarding marital status of residents, 28.6% of the population 12years and above were married; 39.5 never married, while 18.2% were in consensual unions; 7.2% were widowed and 3.7 % separated. It is worthy of note that of the married population, 2.7% were between 10 - 14 years old although the practice of giving out teenage girls in marriage is against the laws of the land. Regarding the nationality of residents, 96.3% were Ghanaian by birth, 1.6% hold dual nationality and 0.5% naturalized. In all, only 1.7% were not Ghanaians. Religion also constitute a very important aspect of the lives of the people of the municipality. With the exception of 2.2 percent of the population that did not subscribe to any religion, almost every other person within the Municipality believed in the Omnipotent. Almost 94 percent professed Christianity; 2.8% were Moslem and 2.2% belonged to the traditional religion. Of the Christian Community, 49% belonged to the Pentecostal/Charismatic. The rest were made up of Catholics and other Christian denominations.

Literacy levels were quite high among the population in the Municipality. Of the total population above 11years, 79.0% (50,012) were literate while 21.0 % were non- literate. While the literate male population stood at 87%, those of females were 71%. Among

the literate population, 57% were literate in English and Ghanaian Language, 36% spoke English only while 5.1% spoke Ghanaian Language only. Among children who were between 11 - 14 years, 49% were literate in English only but within age 60 and above, a higher proportion (64%) were literate in English and Ghanaian Language. Furthermore, within the total population of 3 years and above, 39,369 persons were still pursuing some form of education within the Municipality while 34,412 have also pursued some form of education in the past. Of those who were in school in 2010, 48.2 percent were currently at the primary school level, while 19.6 % were in Junior high education and Senior Secondary levels, 7.4 %. Only 2.1% had tertiary level education. For those who had benefitted from education in the past, 18.6% gained primary education, 34.7% had JSS; SSS/Secondary, 11.2% and Tertiary, 4.2%.

Data obtained from the statistical service indicated that among those who were above 15 years 55,307, constituting 72.1 % were economically active. This means that these people either were engaged in some form of economic activity or were seeking for one. Of the number, 94% were employed, leaving about 6% who were not employed. Among the unemployed, who numbered 2,341, first time job seekers constituted 67.6%. Of the economically not active population, more than 50% were in full time education; 14.3% were too young or old for work; 6.9% were disabled, and 3.7% constituted retired or pensioners and others, 6.8%. For the occupation of the people, the three most important ones were skilled agriculture forestry and fishing, 42%; Service and sales, 21.7%; and craft and related trade, about 18%. For the employment status of the working population, as many as 73.2% were self-employed. For the sector of the economy in which the people were employed, as many as about 90% were employed

in the private informal sector with only 5.7% in the public sector, while 4.4% were employed in the private formal sector.

The municipality has a total housing stock of 12,161, out of which 2,964 were located in the urban areas and 9,197 located in the rural areas. The municipality generally has larger household sizes as more households also resided in one house. Average household size and households per house in the municipality is 4.2 and 1.7 respectively. Three types of tenancy that exist in the municipality include owner occupied, renting and rent-free. of the three, about 25% lived in rented properties which is most common in the urban areas, and 53.7% of households owned the house they lived in, most common in the rural areas, and 18.4% lived in rent-free apartments. The most common type of dwelling unit occupied by households were compound house (63.5%); semi-detached houses, 4.5% and 1.8% lived in flat/apartment. The rest of the people lived in dwelling units such as huts, kiosks and uncompleted building and others. The main source of lighting for dwellings in the municipality is the national electricity grid to which 55.3% of households were connected. The kerosene lamp that provides lighting for 30% of households followed this and flashlight provides lighting for about 13% of homes. For the source of energy for cooking, charcoal and firewood together provides is used by 87.2 % of households while 9.3% use gas. In the urban areas, about 71 % rely on charcoal as source of energy for cooking while in the rural areas, about 30% use the same source. In the rural areas however, the use of firewood is more common with about 62% of the households using firewood as main source of fuel. Only 6.3% of the rural households used gas as source of fuel against 15.5% for the urban areas. This situation is not conducive to the protection of the green environment.

The source of water supply to households especially for drinking purposes could affect the state health positively or negatively. Using water from unsafe sources could lead to water related diseases such as diarrhoea and bilharzias among others. The main sources of drinking water within the municipality were rivers and stream sources (22.1%); pipe-borne outside dwelling (18.9%); public standpipe/ tap (17.4%). Majority of rural dwellers, constituting 32% rely on rivers and stream as main source of drinking water as against 3.7% of urban dwellers who used same source. For access to toilet facilities, close to nine out of ten residents used unhygienic toilet facilities. Thus, 39.7% use pit latrine, 35% use public toilet and 13.6% used KVIP. Only 6.4% used water closet. The main methods of disposal of solid wastes were disposal into public containers (29.1%); burning of solid waste (22.4%); dumping at public dump sites (22.3%). About 15.3% of households dispose of solid waste indiscriminately, and only 4% have their solid waste disposed through house-to-house collection by service providers.

Access to socio-economic infrastructure is a key determinant of the quality of life of the people. As of 2015, data collected from the District Assembly showed that there exist 109 kindergarten/Nursery schools, 110 Primary Schools; 42 Junior Highs; 2 Senior Secondary Schools; one Technical School and one Teacher Training College. Most of these facilities were however in bad condition. According to the Assembly, only 32% of the facilities for kindergarten; 62% of primary and 29% of JHS and 46 % Senior High Schools were in good condition. For health facilities, the entire Municipality has one Polyclinic, three private clinics, seven reproductive/Child Health and Family Planning Clinics, eleven Community Health Planning and Service (CHPS) Compounds, One Health Centre and three Maternity Homes.

The Yilo Krobo Municipal Assembly was, until the beginning of 2013, known as the Yilo Krobo District Assembly. The then District Assembly attained a municipal status with the passage of LI 2051 by Parliament on February 6th, 2012. Before 1988, the local government existed as Koaga District Council, which comprised Yilo Krobo, Manya Krobo and Asuogyaman Local Councils. In 1988, it was re - demarcated into three separate District Assemblies known as the Yilo Krobo, Manya Krobo and Asuogyaman District Assemblies. The Assembly is constituted of forty-four (44) elected Assembly members, twenty (20) Government Appointees, the Municipal Chief Executive and the Member of Parliament though he has no voting rights by law. One of the Assembly Members Chairs the General Assembly Meetings who is known as the Presiding Member. The Assembly was tasked to make laws, including the rules and bye-laws which gave legal effect to decisions and also mobilize resources to undertake developmental programmes and activities.

The sixty- six (66) member General Assembly is the main body in the Assembly, responsible for formulating laws and policies in the district. This number is made up of forty-four (44) elected Assembly Members, twenty (20) appointed Members, the Municipal Chief Executive and the Member of Parliament for the area. Assembly members are elected every four years through the Universal Adult Suffrage. These members are expected to keep close contact with their electoral areas, consult their people on issues discussed at the Assembly and collate their views and opinions and present to the Assembly.

The political-administrative head of the Yilo Krobo Municipality is the Municipal Chief Executive. The Chief Executive is responsible for the performance of the executive functions of the Municipality as a chief representative of the central government at the local level. Administratively, the Municipal Chief Executive is responsible for the day-to-day performance of the Executive functions of the Assembly. He is also to supervise the various departments in the Assembly and is the chief representative of the Central Government in the municipality. He works with the Municipal Coordinating Director (MCD) who is the head of the day-to-day administration of the thirteen (13)

decentralized departments. The Municipality is resolved into one (1) constituency and Forty-Four (44) electoral areas. There are seven (7) Zonal Councils and forty-four (44) Unit Committees. The seven Zonal Councils, namely Somanya, Oterkpolu, Boti, Nkurakan, Nsutapong, Klo Agogo and Obawale works under the direction of the Assembly.

While the general Assembly makes local policy decisions, the implementation of those decisions are supposed to be implemented by the Executive Committee that is made up of one third of the membership of the general Assembly and chaired by the MCE. The committee by law exercise executive, co-ordinating and oversight functions of the Assembly. The Executive Committee has the following Sub-Committees: Development Planning Sub-Committee; Social Services Sub-Committee; Works Sub-Committee; Finance & Administration Sub-Committee, Justice and Security Sub-Committee. The Sub-Committees are responsible for collating and deliberating on issues relevant to the Assembly in its deliberative, executive and legislative function. They submit their recommendations to the Executive Committee for consideration, which are later ratified by the General Assembly.

The Yilo Krobo Traditional Area is divided into six (6) chieftaincy divisions and one paramountcy headed by the Konor. The divisions are Bornya, Plau, Bunase, Nyeweh, Ogame and Okper. The six divisional chiefs have their ancestral homes on the Krobo Mountain. The traditional authority exists and operate side by side with the modern local government system though their major area of activities is the administration of traditional and cultural matters.

Figure 3.5 Map of the Yilo Krobo Municipal Assembly in the National and Regional Contexts

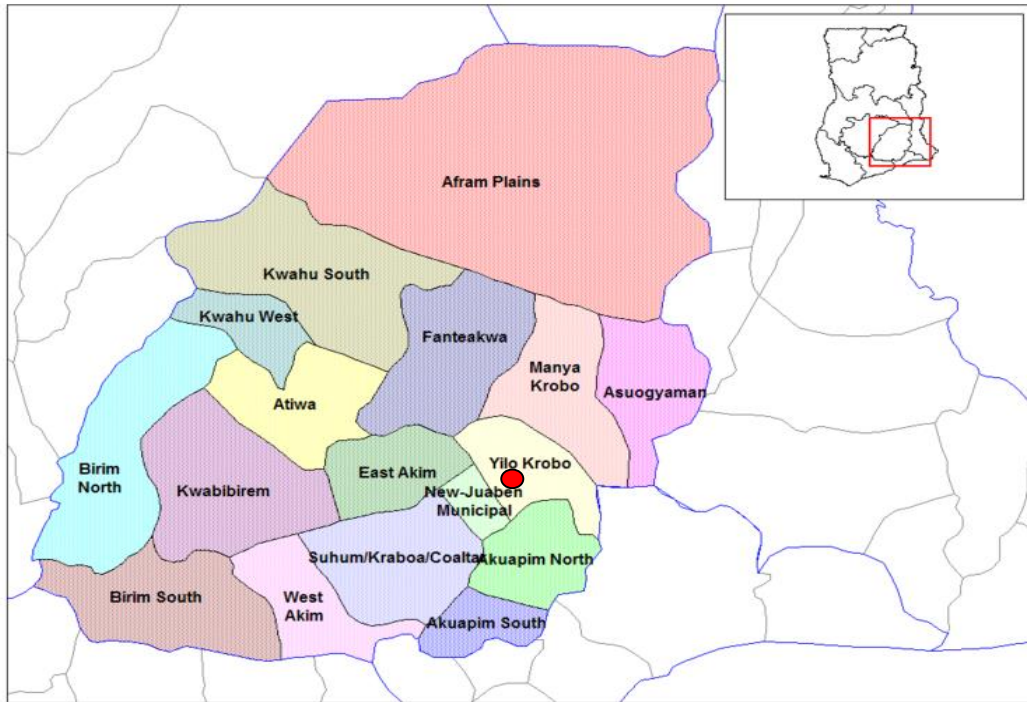


Figure 3. 6 Map of the Yilo Krobo Municipal Assembly in the National and Regional Contexts

3.9.3 The Gomoa West District Assembly

Gomoa West District Assembly is one of the twenty (20) district Assemblies in the Central Region of Ghana. It stretches from Gomoa Antseadze in the west to Gomoa Bewadze in the east. It also shares boundaries to the west with Ekumfi district, North-West by Ajumako-Enyan-Essiam district, to the North by Agona East and Gomoa East districts and to the East by Effutu Municipal, and the Atlantic Ocean in the south. The district covers a total land area of 458.5 square kilometres. Apam, the district capital, is 68 km from Cape Coast, the regional capital and 69 km from Accra, the National Capital. The District Assembly was established in July, 2008 by Legislative Instrument (LI) 1896 following the division of the former Gomoa District into two, namely Gomoa West and Gomoa East Districts. Traditionally, the Gomoa state has two paramountcies, namely Akyempim and

Ajumako. The Akyempim has its seat at Gomoa Assin whilst Ajumako's has their seat at Gomoa Ajumako.

The 2010 Population and Housing Census recorded 135,189 as the population of the district with 99 percent being Ghanaian. This is made up of 60,417 males, which constitute 44.7 percent of the total population, and 74,772 females, which also constitute (55.3%). The population in the urban areas is 57,568 (42.6%) and in the rural areas, we have 77,621 (57.4%). Of the total population, 69,612 people or 51.4% constitute the active labour force, while the rest (65,578) or 48.5% of the population were age dependent on the working active population. The total number of migrants within the entire population of the district is quite significant, constituting 20.4% or 27,571. Of the total number of migrants, 61.5% were born outside of the district, but were born within the region. Of those born outside of the region, the major sources of the migrants were Greater Accra Region (2,240), Eastern Region (1,884), Ashanti Region (1,365) and others regions. A total of 840 people were migrants from outside Ghana.

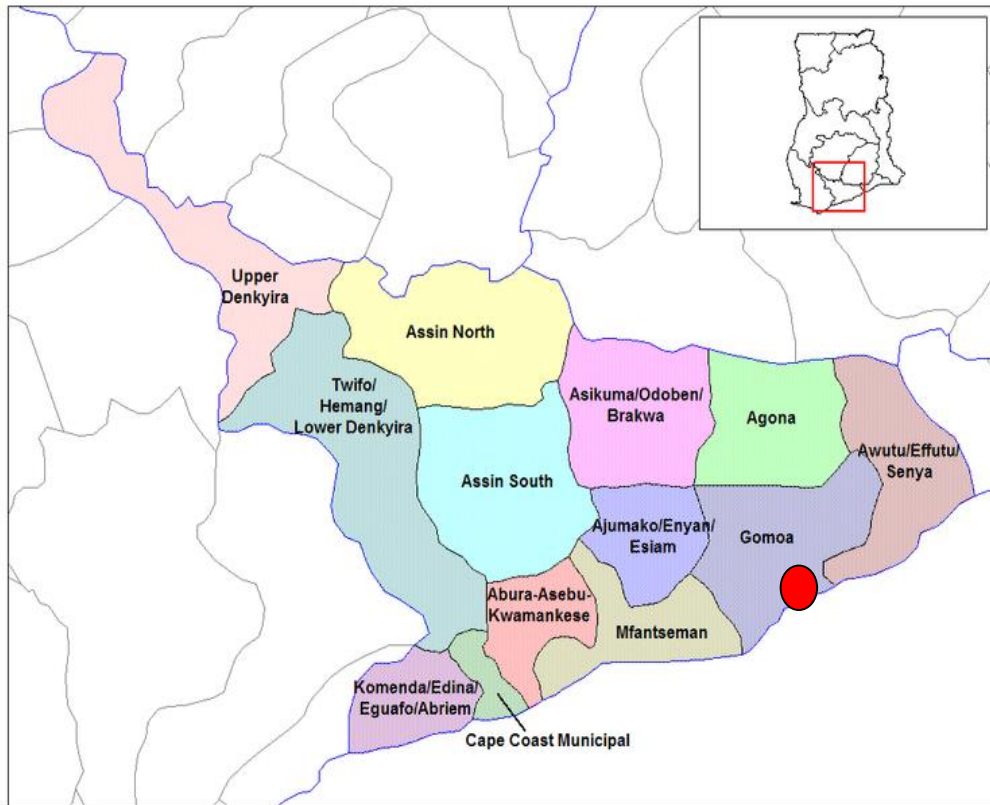


Figure 3. 7 Map of Gomoa West District Assembly in the National and Regional Contexts

There are different ethnic groups in the district such as Gomoa (Akan), Ga, Krobo, Ewe, Kyiripon, Kotokoli, Moshie, Frafra, among others who co-exist peacefully in their various settlements. Tuesdays and Fridays are sacred days when no fishing and farming activities are carried out. On such days, communal works are done in the various communities like mending of fishing nets. The people of the area have various religious beliefs with Christianity being the dominant group. Specifically, Christians constitute 82.6 % of the population and Islam, 6.1 %. Of the Christian population, the Charismatic/Pentecostals represented 25.8%; Protestants (23.6%); other Christians (24.8%) and Catholics (8.2%). A total of 11, 073 or 8.3% of the population did not profess any religion, while 1,622 (1.2%) practised the traditional African Religion. Some of the festivals observed by the people of Gomoa are Akwanbo, Ntokroko, Epa, “Ahobakumaa” & “Ahobakese”. The district has an annual, colourful and exciting festival known as Akwambo,

popularly known as “Gomoa, two weeks” which attracts many people from all walks of life.

A major manufacturing enterprise in the district is the Pozzolana Cement Factory at Gomoa-Mprumem. There are a number of stone quarrying sites due to large deposits of rocks in the district. Huge deposits of salt have given rise to citing of salt extraction centres at Apam and Mankoadze. The District Assembly in conjunction with an international NGO has put up a large cold store at Apam to process fish, although this facility is currently not operating at full capacity. There is also boat making and repairs at Mumford. Regarding Health Care facilities, data provided by the District Health Directorate indicate that the District has fourteen (14) health care facilities, made up of one Mission Hospital, one health centre, one reproductive and child health centre, two community clinics and one nutrition rehabilitation centre. In addition, there are seven Community Based Health Planning and Services (CHPS) zones as well as one private maternity home.

Also, information obtained from the District Directorate of Education showed that the district has 343 educational institutions, comprising 126 Nurseries/Kindergarten, 132 Primary, 77 Junior High Schools and 8 Senior High Schools.

On the state of transport and communication, information obtained from the Assembly showed that there are about thirty-nine feeder roads in the District with a total length of 390.25km comprising 240km and 150.25km engineered and un-engineered roads respectively. The highway roads are made up of 216km (93km tarred and 123km un-tarred). Several of the roads either need re-graveling, reshaping or sport improvement. Most of these roads link food production communities to market centres. The District is served by almost all the mobile networks though access in most of the rural areas remain very difficult. These are MTN, Tigo, Glo, Expresso, Vodafone, Kasapa, and

Airtel. None of the communities has access to the services of land-line telecommunication. There are few potential tourist attraction sites both cultural and environmental in nature, which when developed could place the district on the tourism map of Ghana. These include the Apam Fort Patience built by the Danes but was sold to the English in 1724. The Fort is being used as a rest house and is being run by Ghana Museums Board. Gomoa Nduem is noted for categories of slave chains used by the colonial merchants who were into slave trade across some parts of Africa including Ghana. There is also a strange rock at Dago where a huge rock is said to be resting on a tiny rock. There is spring water emanating from this strange rock which never dries up throughout the year and contains no saline content although it is located at the sea shore.

Gomoa West District, like all others, has a three tier local administrative structure comprising of the District Assembly, one Urban Council, two Town Councils, four Area Councils and one hundred and eighty (180) Unit Committees of five members each. The General Assembly consists of fifty-Six (56) Assembly members including the district Chief Executive and the Member of Parliament. It has thirty-six (36) electoral areas constituting the elected members of the General Assembly and fifteen (15) Government appointees. The District Chief Executive is both the political and administrative head whilst the District Coordinating Director is the public administrator and Secretary to the Assembly. The Presiding Member is the Chairperson of the general assembly who presides over meetings of the Assembly. The General Assembly, as the highest governing body, has deliberative, legislative and executive authority over the district. The Assembly was tasked by law to plan and implement projects and programmes that could lead to the overall development of the district. It is also empowered by law to mobilize financial and material resources to support the developmental programmes that it undertakes. The Assembly members are elected every four years through the universal Adult

Suffrage. These members are expected to keep close contact with their electoral areas, consult their people on issues discussed at the Assembly and collate their views and opinions and present to the Assembly.

Administratively, the District Chief Executive is responsible for the day-to-day performance of the executive functions of the Assembly. He is also to supervise the eleven other departments in the Assembly and is the Chief Representative of the Central Government in the district. Next to the Chief Executive, is the District Co-ordinating Director who is a civil Servant and the Secretary to the General Assembly. The Co-ordinating Director performs administrative functions in the Assembly and reports directly to the Chief executive. By law, the various departmental heads and agencies are required to report to the District Coordinating Director. While the general Assembly makes final decisions, the implementation of those decisions are supposed to be implemented by the Executive Committee, which is made up of one third of the membership of the general Assembly and chaired by the DCE. The committee by law exercises executive, co-ordinating and oversight functions of the Assembly.

The Sub-Committees of the Executive Committee Were Development Planning Sub-Committee; Social Services Sub-Committee; Works Sub-Committee; Education Sub-Committee; Finance & Administration Sub-Committee; Environmental management Sub-Committee; Agriculture Sub-Committee and Rural Enterprises Sub-Committee. The sub-committees are responsible for collating and deliberating on issues relevant to the Assembly in its deliberative, executive and legislative function. They submit their recommendations to the Executive Committee for consideration, which are later ratified by the General Assembly. The Public Relations and Complaints Committee which is chaired by the Presiding Member of the Assembly also exist to receive complaints from

the public concerning any issue they might be having with the Assembly in general or any of the officials.

CHAPTER FOUR

GHANA IN SEARCH OF DECENTRALIZATION: A HISTORICAL ACCOUNT

4.0 Introduction

In this section, the investigator presents a further review of the evolution of Ghana's decentralization from the colonial era to the period immediately before 1988. The review focuses on decentralization before independence and after independence. Later, in chapter five, the researcher provides a comprehensive review of Ghana's current decentralization system and policy

4.1 Decentralization during the Colonial Era

Ghana has been experimenting with the idea of modern decentralization for more than one century and a half, although the traditional form of governance has been and continues to be decentralized from the level of the paramount Chief to the family head. Commenting on Ghana's pre-eminence in decentralization, Schmidst (2007) asserts, among others, that:

"Ghana is unique among developing countries in the longevity of its decentralized government which was formally acknowledged in 1878"(p. 22).

On the other hand, the Ministry of Local Government and Rural Development (1996) even traces the country's decentralization to a much earlier date of 1859 when the British colonialists passed the Municipal Ordinances Act that created municipalities for the coastal areas of the then Gold Coast. According to Gilbert, Hugouneng and Vaillacourt (2011) these coastal Municipalities run concurrently alongside three hundred and fifty-five (355) Native Authorities in the rural areas. Ahwoi (2010) asserts that each of the municipalities had a Council of seven elected Councillors who, in turn,

elected a Mayor of the Council with their main responsibility being to attend to matters of public health, peace and order.

Between 1878 and 1944, Ahwoi identified the passage of six ordinances, all of which related to enhancing decentralization and local government. These were the Native Jurisdiction Ordinance, 1878; the Native Jurisdiction Act, 1883; the Native Administrative Ordinance, 1927; and Native Treasuries Act, 1936. The rest were the Native Administrative Treasuries Ordinance, 1939 and the Native Authority Ordinance, 1944(Ahwoi 2010).

The Native Jurisdiction Ordinance, being the first of its kind in the colony, made provisions for the recognition of native and traditional authorities as well as regulate the exercise of their powers and authority in the Protectorate territories. The provisions included the empowerment of Chiefs to form native tribunals for the trial of breaches of bye laws as they also exercise civil and criminal jurisdiction in related provisions, Chiefs were officially empowered to exercise civil and criminal jurisdiction. The Native Ordinance of 1878 was replaced in 1883 with the Native Jurisdiction Ordinance. This new law confirmed the authority of the Paramount and Divisional Chiefs and also permitted same to make bye- laws. As in the previous ordinance, the Chiefs continued to exercise some amount of civil and criminal jurisdiction in local Courts. In 1927, the Native Administration Ordinance was passed to replace the Native Administration Ordinance. This gave recognition to the State Councils as the highest authorities within each state. According to Ahwoi (2010):

The State Councils, subject to appeal to the Provincial Council, was empowered to consider all problems of disputed elections and destoolments. The powers of the Paramount Chiefs' Tribunals were also extended in civil matters. The Native Administrative Ordinance of this period applied separately to each of the large administrative areas.

For example, while the Native Authority, Northern Territories Ordinance, applied exclusively to the Northern Territories, the Native Administration (Togoland and Southern Section) Ordinance, 1933, applied to Togoland and Southern Gold Coast, while that of 1935 affected Ashanti. Under this ordinance, the Authority of chiefs were consolidated as they were given financial, legislative and judicial powers.

In another step further, the 1936 Native Treasuries Ordinance legalised the imposition of levies by State Councils, while the Native Administrative Treasuries Ordinance ,1939 enabled Central Government to compel State Councils to establish treasuries and also make rules for the drawing up of budgeting and financial accountability.

Finally, the Native Authority Ordinance of 1944 separated a Native Authority from a State Council. While members of Native Authorities were appointed according to custom, membership of State Councils were by the appointment of the Governor.

Commenting on the nature of decentralization during the colonial era, Antwi- Boasiako and Bonna (2010) opined that decentralization became a political tool for the British through the chiefs and their elders to reinforce the wishes of the British government. As Bamfo (2000) and Rathbone (2000) in Boasiako (2010) noted further, those chiefs who cooperated with the British were rewarded and the uncooperative ones were punished, that such an authoritative implementation of the concept of decentralization created fear among the chiefs and the people.

The period after 1944 was marked by more riotous agitations, especially in 1948, by the nationalists for self-determination. These agitations were boosted by greater exposure to global events such as the 1945 World War II and liberal political ideologies. The cacophony resulting from the incessant agitations led to the setting up of several

Committees of Enquiry, prominent among which were the Watson and Coussey Committees all of 1949.

4.2 Decentralization During and After Independence

The Ministry of Local Government and Rural Development (1996) asserts that between 1949 and 1969, many Commissions of Enquiry and Committees that were set up to make recommendations for the devolution of power to the Local level. The Ministry named nine of such Committees and Commissions which it identified as 'the most significant of these Commissions and Committees of enquiry' as the Watson Committee (1949); the Sir Coussey Committee (1949); Sir Sydney Philipson (1951); Sir Frederick Bourne (1955); The Greenwood Commission (1957); The Akuffo Addo Commission (1966) ; the Mills Odoi Commission (1967) and the Constituent Assembly (1969) The recommendations from the foregoing Committees led to the passage of the Local Government Ordinance of 1951, which provided for the establishment of 252 District and Urban Councils and 26 District Councils. These, in addition to the already existing Town Councils of Accra, Kumasi, Sekondi - Takoradi and Cape Coast resulted in the creation of 282 Local Government Units for the Gold Coast even before the Country gained political independence in 1957. The provisions included the election of Council members (all four were upgraded to Municipal Councils later in 1953 by the Municipal Councils Ordinance of 1953) while traditional Authorities appointed one - third of the total members to the Council.

"... as many as 252 Local and Urban and 26 District Councils were created with populations varying from 10, 000 to 71, 447 for Local and Urban Councils and from 26,026 to 388753 for District Councils"(Ahwoi, 2010 :13 – 14).

The Ministry of Local Government and Rural Development (1986) asserts that:

'In spite of the far reaching nature of the recommendations most of which were accepted, attempts at decentralization could not materialize until 1974'

Between 1957 and 1980, several other piecemeal reforms took place towards decentralization mostly in the area of geographical or spacial decentralization. Notable among these changes included the division of Ghana into five regions and Assemblies in 1957, under the Independence Constitution. The regions were the Eastern, Western, Ashanti, Northern and Trans - Volta Togoland. Each Regional Assembly was headed by a person chosen by the Regional Houses of Chief. They performed functions relating to Agriculture, Education, Health, Public Works, Settlement Planning, Housing and security, among others. In 1960, the republican Constitution provided for an increase in the number of regions from five to ten. In 1961, traditional representation on the district councils were abolished with a provision to elect all members of council for a term of three years after which members may be re-elected.

Following the military takeover of government in 1966 by the National Liberation Council, three Commissions of Inquiry were set up by the Military Government to study and also make recommendations to improve matters pertaining to local government and the structure and remunerations of public servants among others. According to Ahwoi (2010) the Mills- Odoi Commission, for example, found that local government and everything connected with it was virtually on the verge of 'complete collapse'. That, among other findings there was excessive centralization of authority and responsibility in the hands of national level officials as well as the concentration of almost all the qualified personnel in the centre. This had led to a situation where Central Officers got themselves involved directly in the implementation of projects at the local level at the expense of policy-making, monitoring and evaluation. Among other sweeping reforms, the Committee recommended a new and more radical form of decentralization which would involve the creation of new District Authorities, and a District Council with a District Chief Executive as head with powers conferred on them legally to perform local

functions including basic education, agriculture, parks and gardens, health and roads and buildings. The report also made provision for the establishment of Regional Authority with the role of planning and coordination between the local Authorities and the Central Government Bodies.

On its part, the Siriboe Commission of 1968 also recommended a three- tier local government structure of Regional, District and Area/Town and Local Councils and a fourth tier of Voluntary Community Based association to be called Town and Village Development Committees which should carry out welfare services for the community. Also, it recommended that two- thirds of members of District Councils should be elected representatives while one- third of members should be appointed by the traditional authority hosting the District Council. Another major recommendation is that the Paramount Chief of the area become the President of the District Council. For functions of the District Councils, the Commission recommended that while District Councils take charge of roads and buildings, health, basic education, parks and gardens, social services and community development among others. The Town, Area and local Councils were to perform delegated functions which included health and refuse disposal, enforcement of settlement layouts, encouragement of education, registration of births and deaths, collection of rates and management of Community centres etc.

On its part, the Akufo-Addo Constitutional Commission of 1968, equally submitted a list of recommendations for decentralization reforms which were based on the earlier recommendations made by the Mills Odoi and Siriboe Commissions as follows: The recommendations included provisions that there should be a two tier structure local government system, to be known as Local Government and District Councils, which must be based on the traditional system. That, Local Councils should be composed of two - thirds traditional and one third elected representatives with the Paramount Chief

serving as Chair. District Councils were also to be composed of two-thirds elected representatives, and one-third chosen by traditional Councils with a District Chief Executive serving as the political head and central government representative. While a District Council would be chaired by an Executive Chairman, who is elected from among members, District Departmental heads were to take part in meetings of the Council only as advisors to the District Chief Executive. The proposals also included the establishment of Regional Development Council, chaired by an appointee of the Prime Minister, with the responsibility of coordinating and supervision of development planning at the regional level. Also, the recommendations included a merger of the Local Government service personnel and those of the Civil Service which had been one of the major characteristics of the public service until then. Finally, provisions were made for the appointment of a Local Government Grants Commission whose chairperson was to be an appointee of the President on the recommendation of the Prime Minister.

The outputs from the above committees together culminated in the provisions for *Chieftaincy and Local Government* in Chapter 16 of the 1969 Constitution and the consequent *Local Administration Act, 1971, Act 359*. According to Ahwoi (2010), the new Constitution established Local, District, and Regional Councils and that Chiefs were restored to membership on Councils at the Local, District and Regional levels. The Regional Councils were headed by an appointee of the Prime Minister (Regional Chief Executive) who served as Chairman of the Regional Councils with the Regional Heads of Ministry serving as members with no voting rights. All levels of Local Government were to continue to receive grants from Central Government.

Providing details, the constitutional provisions to chapter 16 of the 1969 constitution, Act 359 made the following provisions:

Chairmen of Regional Councils, called the Regional Chief Executives were still appointed by the Prime Minister; As District Councils were constituted of elected members. District Councils were to operate as deconcentrated bodies of central government, and were to be responsible for the administration and development of the areas under their jurisdiction. On the election of District Council Members, the Prime Minister was to appoint Chairmen for the Councils as they also were required to be guided by the Regional Minister. A District Administrator, an appointee of Central Government, had the responsibility for implementation and supervision of the work of the Council. Local Councils were to assist the District Councils in the collection of rates and also perform tasks delegated to them by District Councils.

Even before these provisions could be implemented, the military took over power once again in 1972 and caused to be replaced the foregoing provisions with the Local Administration (Amendment) Decree, 1972 and Local Administration Amendment Decree, 1974. Ghana would now be having a four- tier local government Structure, thus Regional Councils; District Councils; Area, Municipal, Urban and Local Councils, and Town and Village Development Committees. Under the new system, Regional Councils were to be composed of two members elected from each District Council, two other Members representing the Regional House of Chief and Heads of Central Government Ministries and Departments. The Council was chaired by a Regional Commissioner who was a representative of central government and was responsible for peace and security as well as the general development of all parts of the region. There was also a regional Administrative Officer, serving as head of the regional Civil Service, to whom all officers of Ministries, Departments and Agencies were accountable. Under this new arrangement, the regional Councils were also empowered

to approve the budgets and general development programmes of District Councils having made sure that they were in accordance with the general policy directives of the Ministry of Economic Planning.

A total of 62 District Councils, 234 Local Councils, 19 Urban Councils, 4 Municipal Councils and Six Area Councils were set up. These were constituted by traditional rulers and other appointees of Central government. These substructures were required to perform roles that were delegated to them by District Councils and also cooperate with the Councils to ensure the Development of the District and Communities. According to Ahwoi (2010), only 6 Area Councils in Accra District actually became functional. But quite surprisingly, the idea of electing local representatives were discarded and was replaced by central government appointing two thirds of members while traditional authorities appointed the rest of the one third. District Chief Executives served as representatives of central government, coordinating all programmes of central government institutions and agencies while also serving as Head of District Administration, to whom all administrators and even Councillors were accountable.

In his assessment of the effectiveness of Ghana's post-independence attempts at decentralization programmes generally, Antwi - Boasiako, (2010) claimed that:

Ghana's political independence in March, 1957 did little to change the political structures established by the colonizers. As a result, many studies have described post-colonial decentralization as ineffective, in which regime change through military coups became the order of the day after Kwame Nkrumah was ousted in 1966.

These notwithstanding, the foregoing decentralization reforms of the mid-1970s were singled out for commendation by some as representing a deeper commitment to empower the local people through decentralization.

It was during the mid-1970s under Lt. Col. Ignatius Kutu Acheampong's military regime that the government tried to empower the locals (Nkrumah, 2000 in Boasiako, 2010).

In a similar commentary, the National Association of Local Authorities of Ghana (NALAG, 2013) affirms that '... attempts at decentralization could not materialize until 1974'.

However, commenting on the 1974 local government reforms and some of its weaknesses, Ahwoi (2010) asserted, among others that,

'This unrepresentative character of the District Councils was to be the bane until the end of their tenure. They were perceived as lacking the necessary democratic legitimacy to take decisions on behalf of the people and to a large extent were simply seen as part of central government.... By this design, civil servants were seen to carry more weight than the local councillors who, in any case, were neither elected by the people nor seen by them as their representatives'(p.27).

4.3 Decentralization in the Revolutionary Era

On June 4th, 1979, the Armed Forces Revolutionary Council (AFRC) led by Flight Lieutenant Jerry John Rawlings forcefully took over government . The military Government promulgated the 1974 Report for further decentralization reforms which was contained in the 1979 Third Republican Constitution submitted by a Committee set up by the previous government. Among the provisions in Chapter 20 were that Parliament passed an Act to provide for the conduct of local government elections every four years; that, two thirds of the members of the District Council should be elected by universal adult suffrage, while one third of members were to be appointed by traditional authorities. In 1980, there was another amendment to the existing structure of local government- Local government (Amendment) Act 1980, Act 403. Under the new provision, the Regional Councils were composed of two representatives of District Councils, two Chiefs from the Regional Houses of Chief, the Regional Administrative

Officer and Regional Heads of Department as ex- officio members, while the Regional Minister served as Chairman. In 1988, the PNDC passed the Local Government Law, 1988, PNDCL 207 which provided the legal framework for further decentralization. Major reforms under this new regime included the constitution of District Assemblies as the highest Planning and Political Authorities having legislative, executive and Administrative Powers within their areas of Authority. Provisions were also made for the election of two thirds of the total number of Assembly members while the others were appointed. Another major reform was that for the first time, the power and functions of the Regional Coordinating Councils were reduced to coordination of activities of District, Municipal and Metropolitan Assemblies. The Assemblies were chaired by an elected member while the District Chief Executive remained an appointee of central government. With the foregoing background, the researcher now presents the policy framework and structure of Ghana's current decentralization system, that took effect from 1988, in the next chapter. Having provided the foregoing background, the researcher now presents a review of the laws and policies that currently forms the basis of the Nation's Decentralization.

CHAPTER FIVE

THE POLICY, LEGAL FRAMEWORK AND STRUCTURE OF GHANA'S CURRENT DECENTRALIZATION SYSTEM

5.0 Introduction

Having presented a summary of the development and evolution of Ghana's decentralization and local government up to the present (2016), the researcher, then presents the various policy frameworks and the current laws which must guide the implementation of the nation's current decentralization system. It begins with the main policy objectives as well as some of the key legal instruments supporting the system and finally, the structure of the system in operation as of 2016. This is expected to provide the basis for assessing the actual implementation of the Ghana's decentralization system which is the task of the next chapter.

5.1 The Policy and Legal Framework for Ghana's Decentralization

According to the Ministry of Local Government and Rural Development (MLGRD, 1996), Ghana's current decentralization is envisioned to transfer functions, powers, means and competences from the central government ministries, departments and agencies to the District Assemblies. Such transfers were to provide the required capacity for decentralized bodies to plan and implement policies effectively. The policy among others, was underpinned by the principles as follows: to devolve central administrative authority to the district level; fuses governmental agencies in any region, district or locality into one administrative unit, through the process of institutional integration, manpower absorption, composite budgeting and provision of funds for decentralized services. The policy also divests the centre of implementation responsibilities and transfers those responsibilities to the districts. Regarding functions, the policy assigns Policy-Planning, Monitoring and Evaluation of Programmes to

central government ministries and departments. The Regions were assigned to coordinate, and monitor among the activities of the Assemblies, within each region, to ensure consistency, compatibility and coherence of the development plans in the context of the central government's development vision, plans and programmes. In this regard, each Assembly is required to submit its Medium Term Development Plan and Budgets for the approval of the Regional Coordinating Council upon making sure that the Plan and Budget falls in line with guidelines provided by the National Development Planning Commission (NDPC) and the Ministry of Finance, respectively. The District Assemblies, on the other hand, were primarily charged with the responsibility for the implementation of development policies and programmes that are coordinated by the National Development Planning Commission. Furthermore, the policy promotes popular grassroots participation in the administration of the districts from the standpoints of planning, implementation, monitoring and delivery of those services, which go to improve the living conditions of the people and the orderly, fair and balanced development of the whole country.

The Constitution of Ghana provides the basic aim and principles as well as the form of the Nation's decentralization programme. These provisions together envision for Ghana, as part of its democratic goals, a highly decentralized system that devolves power, decision-making and governmental functions, financial resources and other administrative capacity to the local level for participatory and accountable local governance. In Article 35 Clause 6 (d) of the current Constitution, it is provided that the nation would, among others:

'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 in national life and in government'

In addition to the above, the Local Government Act, 1993, Act 462 and Chapter 20 of the Constitution is devoted to decentralization and local government. In article 240, clauses 1 - 2(e) of the chapter, the law states:

- (1) Ghana shall have a system of local government and administration, which shall, as far as practicable, be decentralized.
- (2) The system of decentralized local government shall have the following features –
 - a) Parliament shall enact appropriate laws to ensure that functions, powers, responsibilities and resources are at all times transferred from the Central Government to local government units in a co-ordinated manner;
 - b) Parliament shall by law provide for the taking of such measures as are necessary to enhance the capacity of local government authorities to plan, initiate, co-ordinate, manage and execute policies in respect of all matters affecting the people within their areas, with a view to ultimately achieving localization of those activities;
 - c) There shall be established for each local government unit a sound financial base with adequate and reliable sources of revenue;
 - d) as far as practicable, persons in the service of local government shall be subject to the effective control of local authorities;
 - e) 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.

5.2 Ghana's Decentralization Action Plan and Revision of Policy

In 2010, the government again rolled out a new five-year National Decentralization Action Plan (August 2010 - July, 2014) and Policy under the theme: *Accelerating Decentralization and Local Governance for National Development*. The purpose included the need to live up to the full requirements of Ghana's Constitution, address the current needs of the citizenry for a much deeper decentralization and also live up to the numerous international commitments that the nation has made for decentralization. Referring to the 1992 Constitution as its basis, the policy lists the principles guiding the five-year action plan as follows:

The principle of the right of all persons to be afforded opportunities to participate in decision-making at every level of government; The principle of central government transferring relevant functions, powers, responsibilities and resources to local government units in a coordinated manner ; and in turn local governments transferring required resources to

sub-structures; The principle of enhancing capacity of local government authorities to plan, initiate, coordinate, manage and execute policies in respect of all matters affecting the people in their respective areas; The principle of ensuring local government accountability through an effective citizen participation; The principle of ensuring effective control of persons in the service of local government by local authorities (Ministry of Local Government and Rural Development, 2010).

Having identified the confusion in the interpretation of what constitutes *decentralization* at the various levels of government, the reviewed policy also sought to provide clarification as indicated below, that:

At the national level, decentralization conveys a sense of ministerial restructuring in which at the level of broad generalization, Ministries, Departments and Agencies (MDAs) are to be restricted to Policy making, planning, evaluation and monitoring of Governmental activities. The regional level of governance is constituted by the Regional Coordinating Council (RCC) as the political institution and the regional level Ministries, Departments and Agencies (MDAs) as the bureaucratic and technocratic institutions. It is conceived as a level of de-concentration at which the regional level MDAs operate as departments of the national level MDAs, not of the RCCs, taking instructions from the national level, implementing national level decisions and providing feedback from the Sub-national level to the national level MDAs. The regional level therefore coordinates and harmonizes the plans and programmes of the Metropolitan, Municipal and District Assemblies(MMDAs) and transmit these to the national level as and when required (Ministry of Local Government and Rural Development, 2010: 24-31).

The region therefore has no corporate legal personality; no policy making powers and has no taxation rights and powers. The region simply exists as extension of the national level institutions. The policy emphasizes that the district level of governance is where decentralization is practised according to the real sense of the concept. It also stresses the legal personality and corporate status of the Assemblies, having power to sue and be sued as well as own and discharge property in its own right in accordance with the provisions of section 4(1,2) of the local government Act, 1993, Act 462. The Policy goes further to state that the only body which possibly has the constitutional mandate to override the decision of a District Assembly is the national Parliament whose power is even limited by the provisions of Act 254 of the Constitution. The Policy avers that

in the true sense of devolution, the vision of Ghana's decentralization system is one in which the Assemblies:

Are empowered as legislative, administrative, development planning and budgeting, rating and service delivery authorities; have clearly defined functions and responsibilities as well as the right to own, control and manage important expenditure decisions at the local public sector; have adequate financial resources and substantial autonomy for allocation and utilization of resources; have ownership of their budgets; have structures and mechanisms to promote and enhance probity, accountability and transparency in their administration; achieve efficiency, effectiveness and economy in the management of resources; have the capacity to deliver on their mandate (MLGRD, 2010).

With the Sub-District structures, the Policy asserts that the form of decentralization at this level is delegation. This is provided for in section 15 (1, 2) of Act 462, which states:

Subject to this Act, a District Assembly may as appropriate delegate any of its functions to such Sub- Metropolitan District Council, Town, Area, Zonal or Urban Council or Unit Committee or such other body or person as it may determine.

At this level, the Units may take decisions based on the functions and responsibilities conferred or delegated to them by the parent Assembly though they do not take responsibility for those decisions and actions. The Action Plan that accompanied the policy identified ten Policy Areas of focus for improvement. The policy objectives for the ten areas include:

To clarify the status, roles and relationships between levels of government and the different actors to strengthen their participation in and contribution to local governance;
To improve local democracy, participation and accountability through viable stakeholder involvement in local governance; To facilitate effective policy coordination and collaboration for smooth devolution of political, administrative and financial authority from the centre to the Assemblies; To improve the administrative and human resources capacity of the MMDAs and other local government stakeholders to ensure quality service delivery; To improve funding and financial management of MMDAs;

To strengthen capacity for development planning, and budgeting at the local level, their integration with national agenda and citizen participation in both processes. Again, in 2009, another law (L.I 1961) titled Local Government (Departments of District Assemblies) Instrument (2009), was passed to give a further boost to administrative decentralization. The law was meant to operationalize the departments at the district level as departments of the Assemblies in line with the Local Government Law, 1993, Act 462, which had already legislated for mergers of some of the 22 departments and for all the departments to cease to exist in their current forms as they paid allegiance only to their sector ministries. Under the new law, Metropolitan Assemblies will now operate 16 departments; 13 for Municipals and District Assemblies,¹¹. With the coming into force of Legislative Instrument (L.I 1961), Assemblies were also required to operate a composite budget system and also to be responsible for the preparation, administration and control of budgetary allocations of the Departments (section 38(2), Act 462. It is worthy of note that though most of the Departments of the District Assemblies were to take effect and operate as such immediately the law came into effect, some departments were to continue operating under their sector Ministries until the laws establishing them were abolished.

5.3 Structure of Ghana's Decentralized System

Based on the current Constitutional provisions, relevant Acts and policies, the structure of Ghana's current decentralized and local government system is shown below (figure 5.1). District Assemblies in Ghana could either be Metropolitan, Municipal and District based on the population (Table 5.1). It is a four-tier system for Metropolitan Assemblies and three tier for Municipal and District Assemblies.

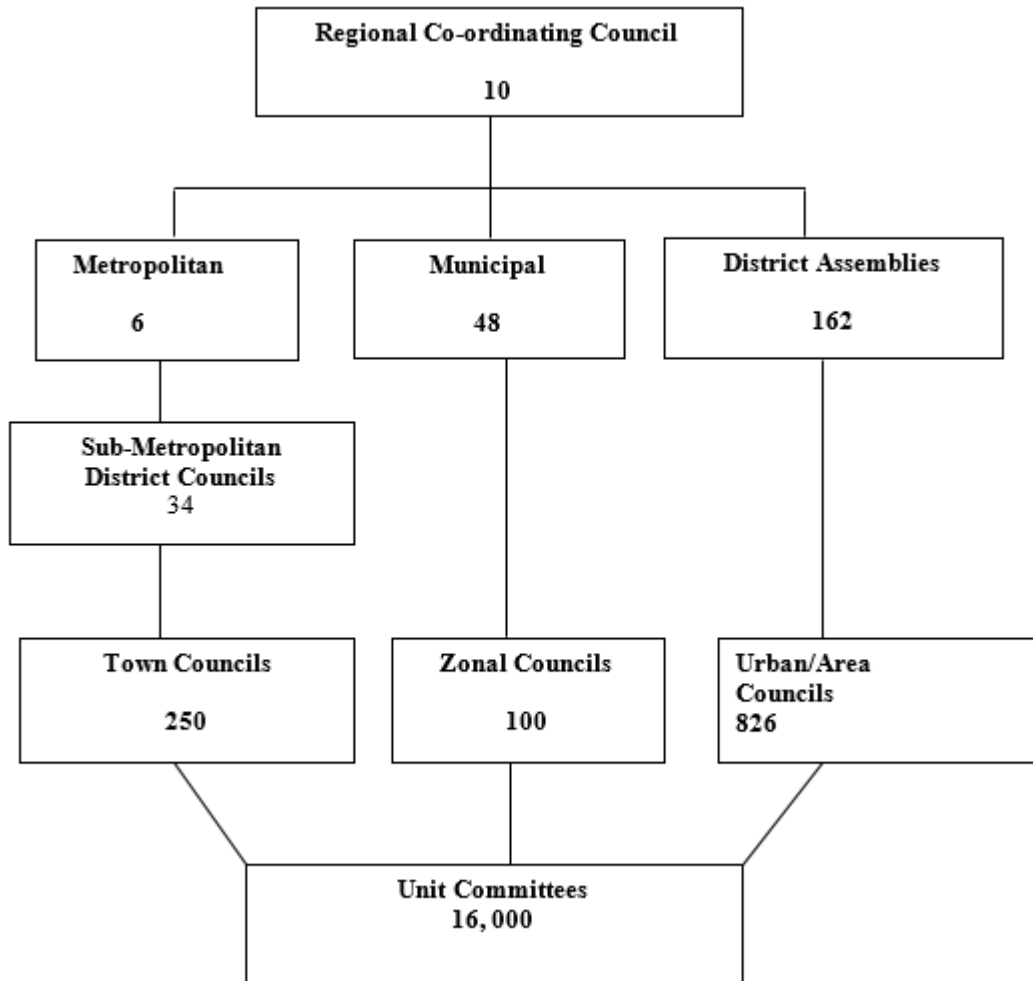


Figure 5. 1 The Structure of Ghana's Decentralization System

Source: Ministry of Local Government and Rural Development (2016).

The Regional Coordinating Council exercises administrative and co-ordinating authority and functions. They do not possess any policy-making function. The Assemblies, on the other hand, exercise political, legislative, administrative and executive authority. They have power to formulate policy and byelaws and implement same. The other sub-structures exercise delegated authority for mobilization and implementation as delegated to them by the Assemblies.

5.4 The Regional Coordinating Councils

Furthermore, Article 255 of Chapter 20 of the Constitution provides for the establishment of Regional Co-ordinating Councils (RCCs) for each of the regions of

Ghana. Other details on the RCCs are provided in Sections 141 - 146 of the Local Government Act, 1993, Act 462. Members of the RCCs are as follows: (a) the Regional Minister and his deputy or deputies; (b) the Presiding Member and the District Chief Executive from each district in the Region; (c) two chiefs from the Regional House of Chiefs; and (d) the Regional Heads of the decentralized ministries in the region as members without the right to vote. The Regional Minister is Chairman of the Regional Co-ordinating Council. He / she and the deputies are appointees of the President of the Republic of Ghana. The law establishes the Regional Coordinating Councils as political organs. Departments at the regional level serve as de - concentrated bodies of Central Government Ministries, Departments and Agencies(MDAs), and not as departments of the Regional Coordinating Councils. The departments therefore take instructions from their various national level ministries and other bodies and see to the implementation of decisions emanating from the national level. As its function, the Regional Coordinating Councils coordinate, as well as harmonizes the plans, budgets and programmes of the Assemblies for the government. They are also charged with the task of monitoring and evaluating the performance of the Assemblies as well as the use of public funds by the Assemblies. Unlike the Assemblies, it must be noted that with the current system, the Regional Coordinating Council does not possess a legal personality nor is it an elected body; they are not policy- making bodies; they do not make any law, nor has power to collect taxes. They therefore have very little power over the Assemblies.

5.5 The District Assemblies



Figure 5. 2 Map of the Administrative Districts of Ghana (2016)

Emanating from the foregoing constitutional provisions, the Local Government Act, 1993, Act

462 was passed as *an Act to establish and regulate the local government system in accordance with the Constitution and to provide for other connected purposes*(p. 7).

Among others, Act 462, establishes a District Assembly for local government areas made up of a group of rural settlements with a population of at least 75, 000; a Municipal Assembly for one compact settlement with at least 95, 000 inhabitants and a

Metropolitan Assembly for cities with population of at least 250, 000. By the end of 2016, Ghana had a total of six (6) Metropolitan Assemblies, fifty-five (55) Municipal Assemblies, one hundred and sixty -two (162) District Assemblies and several other sub - district structures (Table 5. 1). As a prerequisite, the intended area for a District, Municipal or a Metropolitan Assembly must be economically viable, where economic viability 'means the ability of an area to provide the basic infrastructural and other developmental needs from the monetary and other resources generated in the area'(Section 1, clause 5, Act 462).

Table 5. 1 Type and Number of Decentralized Units in Ghana with Minimum Population

Type of Decentralized Unit	Minimum Population	Total Number by 2016
Metropolitan Assembly	250,000	6
Municipal Assembly	95,000	48
District Assembly	75,000	162
Sub- Metropolitan Dist. Council	Sectors of the Metropolitan Area	29
Zonal Councils	3000	100
Urban Councils	15, 000 +	34
Town Councils	5,000-15,000 for Districts and 50,00 for Metro's	250
Area Councils	Group of Rural Settlements	826
Unit Committees	500 - 2500	16,000

Source: Compiled by Author from NALAG Records, October 2016.

These distinctions notwithstanding, a District Assembly is generically used to encompass all three local government Units. Furthermore, the constitution (article 241 (3)), makes the Assemblies the highest political authority within the district with

deliberative, legislative and executive powers. Article 242(a-d) prescribes members of the Assemblies as follows:

(a) one person from each local government electoral area within the district elected by universal adult suffrage; (b) the member or members of Parliament from the constituencies that fall within the area of authority of the District Assembly as members without the right to vote; (c) the District Chief Executive of the district; and (d) other members not being more than thirty percent of all the members of the District Assembly, appointed by the President in consultation with the traditional authorities and other interest groups in the district.

The Local Government Act, 1993, Act 462 Section 4 clauses 1 and 2, established the Assemblies as corporate bodies with perpetual succession and a common seal and may sue or be sued in its own name. They also have power to acquire and hold movable or immovable property, have power to dispose of same and may also enter into any contract or any other transaction. They are headed by a District/Municipal /Metropolitan Chief Executive, who is described by the constitution (Article 243) as '*the Chief representative of Central Government*' and appointed by the President of the Republic after the same nominates him/her for the prior approval by not less than two-thirds majority of the 'members of the District Assembly present and voting at the meeting'. Although the Assembly Members have the power to reject or approve of the President's nominee for the position, such nominees have in over 95% of cases been approved. Two factors responsible for this situation is the use of the 30% government appointees to provide some form of automatic support for the nominee and also the use of financial inducements which may often be used to make up the rest of the votes. The DCE functions as Chair of the Executive Committee; he is responsible for the day- to - day administration of the Assembly; he supervises all departments of the Assembly and also chairs the District Justice and Security Committee.

To preside over, or chair the General Assembly Meetings, the Assembly also voted to elect one of its members, referred to as the Presiding Member, who must be elected 'by at least

two-thirds majority of all the members of the Assembly'(Article 244, 1992 constitution). Under these provisions, the law had made it more difficult to be voted into office as a Presiding Member (who only chairs the Assembly meetings but is likely not to be a Government Party Member) than as a DCE (always a member of the Government Party who controls all the funds, programmes and projects and human resources personnel of the entire Assembly). It is also worthy of note that the DCE may serve for a total of eight years of two four year term each time, after which the President may re-nominate him or her for another approval by the general Assembly. the Presiding Member on the other hand, may only serve a maximum of four years which must be renewed by a vote by Assembly Members after serving the first two-year term. One effect of this arrangement is that Presiding Members may often be less conversant with the work and proceedings of the Assembly's business than the DCE on the grounds of experience. The Presiding Member also Chairs the Public Relations and Complaints Committee of the Assembly.

Besides the Constitution, details of the functions of the Assemblies are spelt out in the Local Government Act, 1993, Act 462. Among others, the act establishes the Assemblies as Planning Authorities and also as the highest political and Administrative institution within the district. As such, they are empowered to exercise deliberative, legislative and executive functions. Being responsible for the overall development of the District, the Assemblies are mandated to formulate and execute comprehensive District Development Plans, Programmes and Strategies with budgets, after receiving appropriate guidelines and approval of the Regional Coordinating Council, National Development Planning Commission (NDPC) and the Ministry of Finance. They are to initiate programmes for the development of basic infrastructure and basic municipal works and services within the district in addition to monitoring and evaluation of the projects.

To provide for the financing of the Assemblies, the Constitution, in article 252, provides for the setting up of a District Assemblies Common Fund (DACF) to serve as a mechanism

for the transfer of funds from Central Government to all local governments. This provision resulted in the District Assemblies Common Fund, Act, 1993, Act 455 which establishes and also provide details for the administration of the Common Fund. Though originally set at 5% of the total government revenue (excluding loans, grants, nontax revenues and revenue already collected for or by the Assemblies), this was later raised to 7.5%. Besides, the Assemblies have the authority to mobilize Internally Generated Funds (IGF) from sources such as rates, licenses, fees, levies and other income generating ventures and private financing arrangements.

5.6 Committees and Sub-Committees of the Assemblies

The functions of the Assemblies are performed through the Committees and Sub-Committees of the Assembly. The Committees are the Public Relations and Complaints Committee which is chaired by the Presiding Member and the Executive Committee chaired by the DCE. The Public Relations and Complaints Committee receives and investigates complaints from members of the public against members of the Assembly. The Executive Committee is composed of one third of the members of the Assembly who have been elected from among themselves. Functions of the Executive Committee include the coordination of all the plans and decisions of the sub-committees and submitting them for approval by the Assembly, implement the resolutions of the Assembly and oversee the administration of the Assembly in collaboration with the District Chief Executive. The statutory Sub-committees of the Executive Committee are Development Planning Sub-Committee; Social Services Sub-Committee; Works Sub-Committee; Justice and Security Sub-Committee; Finance and Administration Sub-Committee and any other Sub-Committee that the Assembly may find it necessary to add. The other Sub- Committees are chaired by any of the Assembly Members chosen by members of the committee.

5.7 The District Assembly Sub - Structures

The main policy regulating the sub-structures is the Local Government (Urban, Zonal and Town Councils and Unit Committees) Establishment Instrument, 2010, L.I 1967. This instrument came to replace the previous L.I 1589 with some modifications. The sub structures identified by the policy are the Sub- Metropolitan District Councils which come immediately under Metropolitan Assemblies, while Town Councils also come under the Sub - Metropolitan District Councils. Coming immediately under the Municipal Assembly is the Zonal Councils, while for District Assemblies, the Sub-structures include Urban, Town and Area Councils. Urban Councils exist for settlements within district assemblies that have populations above 15,000 and Zonal Councils are found within Municipal Assemblies for population of about 3000. Town Councils may be found in both District and Metropolitan Assemblies except that in the Districts, they were created for population between 5000 and 15000 while in the Metropolitan Assemblies, they exist for population of about 50,000. The Urban Council consists of not more than five Assembly members and not more than ten Unit Committee members (rotated annually) whose area of jurisdiction fall within the Council area. Town, Zonal and Area Councils have memberships ranging from 15 - 20. These members include five Unit Committee members and the rest being Assembly members whose area of jurisdiction fall within the sub-structure. The Unit Committee, made up of five members, constitutes the base structure of Ghana's decentralized system and is the closest to the citizen, located at the neighbourhood level. They also have Secretaries appointed by the District Assembly and Chair who is elected by members. The functions include the preparation of annual budgets of revenue and recurrent and development budgets of the area for the approval of the Assembly; to prepare short, medium and long term development plans for the development of the

area for the approval of the Assembly. Others include the preparation of record of all rateable persons and properties under the area of authority, assist officers of the Assembly in the collection of revenues; recommend to the Assembly the naming of all streets and numbering of buildings; prevention of bush fires, planting of trees along streets and the organization of annual congresses for the discussion of development of the area and fund raising in support of development initiatives.

The functions of Unit Committees include supervision of the staff of the Assembly who are on duty in the area; provide assistance to Town/Area/Zonal and Area Council officers to enumerate and keep records of all rateable persons and property for revenue collection; takes steps to abate nuisance and monitor the implementation of self- help and other development projects. Unit Committees also has the responsibility for the registration of births and deaths.

5.8 Fiscal Decentralization

There are many other laws and policies that are of relevance to operationalize Ghana's decentralization and local government. Among these are Article 252 of the 1992 Constitution and the District Assemblies Common Fund (DACF) Act, 1993, Act 455. The act establishes and also mandates central government to set aside for transfer to all the Assemblies not less than 5% of the total annual revenue. In 2007, the government raised it to 7.5% of the total annual national revenue. Though the Assemblies could supplement this source with Internally Generated funds(IGF) the DACF has since its inception, constituted the major source of funds for the Assemblies, contributing an average of between 70 - 85 % (depending on the local economic situation of each district) of total funds available to the Assemblies.

Development Planning constitutes a major function of District/ Municipal and Metropolitan Assemblies within Ghana's decentralization.

5.9 Provisions for Decentralized Planning

While the Local Government Act, 1992, Act 462 establishes the Assemblies as Planning authorities, another Act, The National Development Planning(System) Act, 1994, Act 480 also sought to establish a National Development Planning System, define and regulate planning procedure and other related matters. Among others, the act established and also charged the National Development Planning Commission with the responsibility of coordinating all development planning activities of the Regional Coordinating Councils, District Assemblies, Ministries and other state Departments. This power also includes the annual issuance of planning guidelines for the above institutions who are also requested to submit their final plans to the NDPC for approval and collation into a national development plan. The Act 480 also provides that all district, sub-district and sector development plans should be prepared with full participation of the local people before the plan could be adopted and also approved by both the RCC and the NDPC.

'a district planning authority shall conduct a public hearing on any proposed district development plan and shall consider the views expressed at the hearing before adoption of the proposed district development plan'(Section 3(1), Act 480).

'a local community in a district authorized by the district Assembly to prepare a sub district or local action plan shall conduct public hearing before the adoption of the proposed sub district or local action plan'(Section 5 (2), Act 480).

For the purposes of regulating the planning processes and related activities, the National Development Planning (System) Regulations, L.I.2232 was passed in 2016. This also enjoins District Planning Coordinating Units to 'consult', 'collaborate' and 'cooperate' with Assembly members in all electoral areas, members of Urban, Zonal, Town and Area Councils, Unit committees, chiefs, civil society groups and other stakeholders when preparing the draft district development plan. Among other provisions, the National Legislative Instrument (L.I 2232, 2016) also mandates that all district

development plans should incorporate the development plans of non - decentralized departments, public corporations, state owned enterprises and other organizations working within the District.

5.10 Financial Management

There are many laws in existence to regulate the use of the financial resources available to the Assembly. Fundamentally, Article 253 of the Constitution states that the Auditor-General shall audit the accounts of the District Assemblies annually and shall submit his reports on the audit to Parliament. The Local Government Act, 1993, Act 462 is equally replete with other provisions. Among others, the Act provides that the Internal Audit unit of the Assembly shall audit the accounts of the Assembly quarterly and submit the report to the Presiding Member of the Assembly. Copies of the report are to be sent to the Regional Coordinating Council, the Local Government Minister and the District Chief Executive. In addition, the Auditor General's office is also mandated to conduct annual audits of 'all books, records, returns and other documents relevant to the accounts and annual statements of the Assembly's accounts'. The Assembly is required to consider *'the report at its next ordinary meeting as soon as practicable'*. Furthermore, the Assembly is again mandated to publish its annual statement of accounts and any report on the accounts and statements made by the auditor general 'in any other manner directed by the Minister' (Local Government Act, 1993, Act 462 Sections 120(1-4); 121(1- 4); 125.

Another relevant law is the Public Procurement Act, 2003, Act 663. Among others, it aims to provide uniform procedures for the procurement of goods, works and services and for asset disposal; ensure transparency and accountability in all operations; ensure the consistent application of the provisions of the Act and Regulations; and promote the consistent application of best procurement practices and international standards.

Relevant provisions of the Act include the creation of a ten-member Public Procurement Board to, among others, ensure the judicious, economic and efficient use of state resources by ensuring that public procurement is carried out in a fair, transparent and non-discriminatory manner. At the District Level, the Act also establishes an eight-member District/Municipal/Metropolitan Tender Committee and is chaired by the District/Municipal/Metropolitan Chief Executive. Among its functions the Committee is to confirm the range of acceptable costs of items to be procured; ensure that procurement procedures as spelt out in the law are strictly adhered to. The Act further establishes a five-member District Tender Review Board chaired by a qualified public sector worker resident in the district who is appointed by the Assembly. The Tender Review Board is charged with the responsibility of reviewing the activities at each step of the procurement cycle leading to the selection of the lowest evaluated bid as well as ensure compliance with the law and all the other operating instruments. Finally, the law also establishes procurement thresholds for determining the type of procurement which the Assembly could undertake based on specified values for goods, works, Technical and consulting services. Above those levels or values, the central government would have to procure those services for the Assembly.

Having explained the current structure of Ghana's decentralized bodies as the law establishes them, the researcher then presents his findings of what is actually happening on the ground at the Assemblies.

CHAPTER SIX

THE CURRENT STATE OF GHANA'S DECENTRALIZATION – A COMPARATIVE ANALYSIS OF THE THREE STUDY AREAS

6.0 Introduction

In this chapter, the researcher presents findings on the current state of decentralization of the three case studies, namely, the Tema Metropolitan Assembly, Yilo Krobo Municipal Assembly and Gomoa West District Assembly. These findings cover the units of analysis or the core issues in administrative decentralization, which also constituted the major questions for the study. They include the availability of core staff and their qualifications who are required to implement and perform the functions assigned to the Assemblies; the level of financial capacity possessed by the Assemblies as well as the actual power they possess to take and implement decisions. Other findings covered the discretion that the Assemblies possessed over planning, budgeting, and procurement management. The rest of the report include the state of accountability of the Assemblies to the people, the state of the substructures of the MMDAs and main concerns of key stakeholders about the current decentralized system. Under each item, the researcher first presents a summary of the common major findings across all the case studies, after which specific findings from each Assembly follows.

6.1 General Findings on Administrative Capacity of the Assemblies to Deliver Mandate

The success or otherwise of the implementation of any form of decentralization to a large extent, depends on, among others, the availability of competent administrative staff available to provide support services and also implement the decisions of the legislative body of the Assembly. The transfer of power to decentralized bodies may not mean much if it is not accompanied by the required number and quality of staff who would implement the decisions of the decentralized legislative body. Some researchers

including Hoffman and Metzroth, (2010), have even gone to the extent of denouncing the need for the deepening of Ghana's decentralization because competent staff, among others, may not be available at Assemblies to implement the mandate required of such decentralized bodies. The researcher therefore examined the availability of key staff that are currently available at the three case study areas for the implementation of its core mandate as well as the availability of adequate office space from which work is carried out.

Among others, the researcher found that the three Assemblies generally had some of the staff that they need to manage the departments and also implement their programmes although some departments including Planning, Environment and Works still need more technical personnel to function more effectively. This partly confirms Chireh's finding (2010) about the technical and managerial inadequacies within the Assemblies, which he suggested could compromise the performance of the Assemblies to the point of making them unpopular in the eyes of citizens. All the Assemblies also had office infrastructure and were fairly equipped to carry out office business, although the Tema Metropolitan Assembly was found to have better equipped and well-furnished offices than the other Assemblies. This could be explained by the fact that as an industrial metropolis, the Tema Metropolitan Assembly was far better resourced through its relatively larger internally generated funds than the others were. Some of the departments were also found to be managed by people who either did not have the relevant specializations required to manage those departments or did not have sufficient experience. This situation affected almost all the Assemblies studied. The most affected Departments included Physical Planning, Development Policy Planning, Disaster Prevention and Management, Trade and Industry as well as Waste Management. Although the refusal of some qualified staff to accept postings to some districts,

especially the rural ones, could be considered as one of the reasons for the shortfall in the current staff situation of the Assemblies as Koranteng (2010) asserted, that alone could still not account for all the cases since the Tema Metropolitan Assembly, being the most industrialised Assembly in Ghana, did not demonstrate any noticeable difference in the availability of qualified staff at post from the other Assemblies. Another factor could relate to the fact that the civil service in general had failed to attract some of the most qualified professionals because of less attractive conditions of service compared to those of the private and nongovernmental sectors.

Furthermore, although all departments complained of financial and logistical inadequacies, the study found that beyond payment of their salaries, the departments of education, health and agriculture in all the Assemblies had not received any financial support from neither the central government nor the district Assembly for more than two years. While the Assemblies could not support them because they were still operating as deconcentrated bodies of the “mother” ministries, central government had not provided them with funds because of the difficult financial problems. Lamenting on their financial predicaments one of the directors remarked: *‘they have not given us anything since early 2014, and we have no money even to buy fuel to go for supervision. I don’t know whether it is because of something they are calling decentralization...’*

The researcher found that in all the study areas, some of the departments were located at considerable distances away from the main administrative buildings of the Assemblies. These departments included Education, Health, Agriculture and Community Development. The physical separation of these departments from the others and the District Administration was because until 2010, these departments had existed as deconcentrated bodies of their parent Departments at the regional and national levels. The physical separation of these offices from the others may have

contributed to a lack of coordination and integration of the activities of those departments with the Assemblies' even after almost seven years of passage of relevant laws to enable the above department to operate as departments of the Assemblies. Other common challenges facing all the three assemblies included insufficient capacity building for staff, inadequate office space for departments to carry out their functions, insufficient supply of office logistics such as vehicles to enable the departments of health, education, agriculture and the physical planning departments to carry out effective extension, supervision and monitoring of their activities in the communities. Also, all three assemblies referred to financial challenges as being responsible for the foregoing challenges. These confirmed findings by Antwi (2008) who identified among others, *lack of people with required skills and competence* as well as *inadequate logistics and equipment to facilitate work* as some of the challenges facing Ghana's decentralized bodies.

Regarding access to office space, all decentralized departments had their offices within the main Administration block of the District Assembly, except for the departments of Health, Education and Agriculture, which were located at different locations within the city. The departments that were located in the premises of the Central Administration were the Budget and Rating, Community Development and Social Welfare, Department of Urban Roads and Department of Agriculture. Others are Works Department, Transportation Department, Urban Roads Department, Legal Department and Physical Planning Department. The rest are the Health and Environment Department, Waste Management Department, Education Department, Trades Department and Disaster Prevention and Management. Details of staff currently at post in the various departments at the Tema Metropolitan, Yilo Kobo Municipal and Gomoa West District Assemblies are presented in Appendixes 6.4, 6.5 and 6.6 respectively.

6.1.1 Administrative Capacity of the Tema Metropolitan Assembly

The Tema Metropolitan Assembly is composed of forty-seven (47) Assembly Members made up of thirty-two (32) elected members and fifteen (15) government appointees. The Metropolitan Chief Executive possessed an MBA degree with four years' experience in local governance; the Metropolitan Coordinating Director and his deputy possessed Masters' degree in Public Administration with each one of them also having at least thirteen years' experience in local government service. Other key officers of the Tema Metropolitan Assembly, including the Metropolitan Finance Officer, the Human Resources Officer and the Budget Officer, also possessed MBAs in Accounting, Human Resources and Finance respectively. The Metropolitan Development Planning Officer and the Physical Planning Officer also possessed MPA and BA respectively, while the Officer in charge of the Department of Disaster Prevention and Management also held a Master Degree in Human Resources Management.

The Tema Metropolitan Assembly currently operated from a two-storey L-shaped office building in which most of the offices are located. However, other departments including Agriculture, Health, Community Development and Social Welfare and Education are located in other parts of the city, thus making coordination of work very difficult, expensive and inefficient. The offices available were found to be woefully inadequate for the staff, thus compelling them to allocate one office space to between two to six staff, depending on the size of the office. To address some of these problems, the Assembly has initiated a project to construct a new office block with adequate space to enable it host all of its decentralized departments.

As shown in the table in Appendix 6.4, the Tema Metropolitan Assembly has a team of public servants, most of them, with high academic and other professional qualifications providing a wide range of services including Technical, Administrative, Secretarial and

other support services for the administration of the Metropolis. The range of professionals include Accountants, Auditors, Lawyers, Environmental Scientists, Public Administrators, Finance Professionals, Engineers, Public Health Administrators, Agricultural Scientists and Educationists, all serving in the relevant departments of the Assembly. Almost all the heads of Department had Masters Degrees and considerable years of on-the - job experience with some also having professional qualifications such as Chattered Accountants. These notwithstanding, some departments including both Development Policy and Town and Country Planning still lack the full complement of critical professional personnel to lead the planning functions of the Metropolis. While the Metropolitan Development Planning Officer hold a first degree in Development Planning and second Degree in Public Administration, his deputy holds a Bachelor of Arts. In the case of the Physical Planning Department, the Head holds a first degree in physical Planning. Considering the fact that the Metropolitan Assembly was by law established mainly as a Planning body, the Assembly has expressed the urgent need for more professionals in these areas who also possess higher degrees to augment the current staff of the department to enable it carry out effective planning functions as prescribed by law. In the case of the other departments, challenges such as inadequate personnel , inadequate office space and congestion, inadequate office and working equipment such as computers, poor attitude to work and insufficient in-service and on-the - job training continue to affect the productivity of staff. Notwithstanding the inadequacies observed in the operations of the Assembly, especially with respect to personnel and office space, the Tema Metropolitan Assembly, the Administration and other decentralized Departments have, and continue to provide, the needed technical support and administrative functions largely towards the implementation of the core mandate of the Assembly.

6.1.2 Administrative Capacity of the Yilo Krobo Municipal Assembly

The Yilo Krobo Municipal Assembly, on the other hand was composed of sixty-five (65) Assembly Members, out of which forty-four were elected to represent each electoral area; nineteen appointees, including the MCE and the Member of Parliament as ex-Officio member. Unlike the Tema Metropolitan Assembly, the Yilo Krobo Municipal Assembly was administered through thirteen (13) departments of the Assembly, all of which were headed by the Central Administration. Some of the units of the Central Administration are Records, Estate, Transport, Logistics and Procurement, Stores and Security. Like the Tema Metropolitan Assembly, the Central Administration also coordinates the planning, budgeting, rating and human resources functions of the Assembly. The Municipal Chief Executive (MCE) equally served as the political head of the Assembly who also was the representative of the President of the Republic at the local level. As in the case of all the other Assemblies, the MCE owed his appointment to the President who first nominated him for the prior approval of at least two thirds of the members of the General Assembly, and later appointed by the President.

Besides Central Administration, the other departments of the Assembly are the Budget and Rating, Community Development and Social Welfare, Department of Education, Youth and Sports, District Health Department and Department of Agriculture. Others are Works Department, Transportation Department and Physical Planning Department. The rest are Health and Environment Department, Trades Department and Disaster Prevention and Management. As was the case with the Tema Metropolitan Assembly, the departments of Education, Health and Agriculture were located at a distant location separated from the main Assembly building. This physical separation was the result of the way those departments had operated in the past as deconcentrated bodies who took directives from their parent ministries at the regional and national levels with very little

relationship with the Assembly. The Yilo Krobo Municipal Assembly was well resourced with human resources, especially in the core areas of its functions. The Municipal Coordinating Director is the head of the two hundred and seventy-eight (278) local administration staff to whom all other heads of department reported. Although the researcher could not ascertain the professional qualifications of the MCE, he has however served in that position for about eight years. The Metropolitan Coordinating Director, on the other hand possessed professional qualification in accounting including a Master's Degree in Public Administration with twenty-six years of service experience within the local government system. The Municipal Planning Officer also possesses a Master Degree in Public Administration and a BSc. in Development Planning, while the Finance officer and the head of Internal Audit unit possessed professional qualifications in accounting among others. Details of the staff of the Yilo Krobo Municipal Assembly is presented in appendix 6.5.

With the exception of the Departments of Agriculture, Education and Health, almost all departments of the Assembly were hosted in a two story L-shaped building that is located at the outskirts of Somanya, the municipal capital town. Although most of the workers had offices from which they worked, there is still the need to provide more space to reduce congestion. As indicated in appendix 6.5, one could vouch that the municipal assembly could boast of a number of highly trained professionals who were in charge of the various administrative functions. Concerning office equipment, most of the departments were fairly resourced to enable them perform their basic functions. Those departments that were fully decentralized received some financial support from the Assembly for their activities though there were several instances where these departments were unable to work because of shortage of funds due to delays in the release of the District Assemblies Common Fund by the Common Fund Secretariat.

Similar to the other case studies, some departments that face special challenges included the departments of Agriculture, Education, Health and the physical Planning units whose functions called for frequent visitations to the communities for various engagements including data collection, monitoring and evaluation purposes. In the past, these departments used to receive a lot of donor support for their programmes, but that assistance was no longer accessible of late. This has negatively affected the operations of the departments of education and agriculture considerably. The department of health, though also affected negatively by the withdrawal of donor support, is still able to carry out most of its programmes with internally generated funds (IGF) which it raised from the various medical services that it offers to the public. Listing some of the general challenges faced by the Assembly, one senior officer lamented:

They would never release the Common Fund early so that we can work; most of the departments including education, physical planning and agriculture lack vehicles to go round for supervision and extension; we are short of qualified staff in some departments while others are over staffed; we don't have enough number of accountants. We have many problems ranging from qualified staff, funds, and logistics...'

6.1.3 Administrative Capacity of the Gomoa East District Assembly

The Gomoa West District Assembly had its Administration located at Apam, which is also the District capital. As was the case of all the other Assemblies in the study, with the exception of the Departments of Health, Education and Social Welfare and Community Development, all other departments of the Assembly were hosted within the 3-story office building that is situated about two kilometres from the centre of Apam town. The study revealed though that, like the other study areas, not all the eleven departments were in existence in the District. The non-existent departments included the Trade and Industry Department, the Natural Resources Conservation, Forestry and Game and Wildlife Department and Disaster Prevention Department. Some of the

functions of these departments were, however, being provided by some units such as the Business Advisory Committee (BAC) and the National Disaster Management Organization (NADMO). In the Case of the Natural Resources Conservation, Forestry, Game, and Wildlife, the Assembly occasionally sought for relevant advice and information from the Winneba Municipal Assembly, with whom it also shares boundary, whenever it became necessary. Although almost all the existing departments had office and some furniture, adequate office space was found to be a challenge as it was observed that between two to five officers were found using one office in the case of some departments. This situation was no different from the observations made at the other cases being studied.

As in the other Assemblies, the Central Administration was headed by the District Chief Executive who was appointed by the President and the District Coordinating Director. Sections under the Central Administration included Estate, Transport, Logistics and Procurement, Accounts, and Stores. Other sections included were Development Planning, Budget, Rating and Human Resources. The District Chief Executive possessed a Master's Degree in Public Administration, and has served in that position for the past seven years, leaving him with one more year to complete his mandatory eight years' term of office set by the constitution. The DCE served as chair of the Executive Committee; responsible for the day-to - day performance of the Executive and Administrative Functions of the Assembly, and he is responsible for the supervision of the departments of the Assembly. The District Coordinating Director (DCD) served as both head of the District Coordinating Directorate and also as Secretary to the Assembly. The Assembly had some appreciable number of well-trained administrative staff performing varied range of administrative functions for both the decentralized and non-decentralized departments as shown in appendix 6.6. Almost all heads of

department possess masters level qualifications in courses some of which were relevant to their areas of operation. Other members of staff of the departments also possessed at least first-degree certificates in areas relevant to the work of the departments that they served in. This notwithstanding, it was also found that some departments were severely understaffed making it difficult for them to perform their functions effectively. Among the understaffed departments were the physical planning, Works and environment. The physical planning department, for example, currently operate with only three staff instead of twelve. The department also lacked vehicles and other equipment with which it could perform its work efficiently. Some of the effects of the inadequacy of staff and logistics for the physical planning department were that the Communities within the jurisdictional area were not planned, neither was the department able to carry out development control to regulate the orderly growth of towns and villages. Although the District Health Department is currently serviced by one hundred and eighty- two staff, there was still a shortage of some critical staff including midwives, medical assistants and field technicians among others. The Environmental Health Unit of the District Health Department has only nine workers, a staff strength that was found to be woefully inadequate if one considers the fact that the unit also lacks vehicles for the purpose of carrying out their work in the communities. The District Education Department was serviced by forty-seven staff at the district education office. The District Director and some of his deputies held Masters degrees in the various specialization areas. Other staff of the department included two hundred and twenty-two teachers and seventy-nine other non-teaching staff at the secondary level, and one thousand and eight basic school teachers. The education department also faces problems with logistics such as vehicles to enable it carry out effective supervision of teaching and learning. The department also faces serious financial challenges making it difficult to carry out basic

administrative functions and also maintain the few vehicles at its disposal. Both the health and education departments had not received funding from the central government for the past two years and more, thus making it very difficult for them to perform their functions. While the department of health was able to generate some internally generated funds to keep their activities ongoing, the education department had found it difficult to find any source to generate funds as a result of the policy by government to make education progressively free at the basic and secondary levels. The Agriculture department has a core staff strength of thirteen. It was headed by a District Director who also possessed a Master of Philosophy Degree in Agriculture. Like in the other districts, the department also lacked core staff such as extension officers who could provide technical extension services to farmers. At the time of conducting the study, the department had only seven agriculture extension officers instead of thirty-two required. Other problems facing the department included inadequate logistics to enable staff visit farmers on their farms.

Based on the foregoing findings with respect to the human resources capabilities, the researcher is of the view that, like in the case of the other Assemblies, the Gomoa West District Assembly has quite an appreciable number of staff available to carry out its mandate effectively. The ability of most of the departments to perform their functions effectively may however have been marred by lack of adequate staff with the relevant qualifications and inadequate adequate equipment and tools for the departments to carry out their functions. Commenting on the foregoing, a highly placed administrator of the Assembly lamented that *'our challenges are many. We are unable to maintain our official vehicles and office equipment due to lack of funds; we lack tools and materials to work with; we do not have funds for running administration, and we also do not have adequate staff to run central administration'*.

6.2 General Findings on Decentralization of Departments and Coordination of Programmes

One of the critical factors for the successful performance of decentralized administrative bodies is the extent to which hitherto deconcentrated departments were severed from their former central bodies; that is, the level of control that local legislators and executives have over the activities of the departments that operate within the local jurisdictional area. By the provisions specified in the First Schedule to Section 38 of Act 462, Local Government Act, 1993, and LI1961, Local Government (Departments of District Assemblies (Commencement) Instrument, 2009, a Metropolitan Assembly should operate sixteen (16) decentralized departments. Municipal Assemblies, on the other hand, are required to operate thirteen (13) departments, while District Assemblies operate eleven (11). In the case of the Metropolitan Assemblies, the departments are Central Administration, Budget and Rating, Community Development and Social Welfare, Department of Urban Roads and Department of Agriculture. Others are Works Department, Transportation Department, Urban Roads Department, Legal Department and Physical Planning Department. The rest are the Health and Environment Department, Waste Management Department, Education Department, Trades Department and Disaster Prevention and Management.

Findings made by the researcher from all three Assemblies, however, indicate that for more than seven years after the law established them, not all the above departments were functional in all the three Assemblies studied. The non-functional departments (those not constituted yet as departments at all) include the Department of Trade and Industry, Disaster Prevention and Management Department, Physical Planning Department and the Legal Department. Though not yet in existence as departments,

there were in existence some skeletal personnel who currently perform some of the functions that some of the departments were to perform. For the legal departments, the TMA is the only Assembly among the three that currently has the department. Even here, there was only one officer at post who complained about the inability of his office to operate normally with him being the only staff. In the case of the other Assemblies, they had legal officers who were not staff of the Assemblies but were called upon for assistance whenever the Assemblies needed their services. It was observed that the lack of properly functioning legal departments for all the Assemblies had affected them in many areas including the passage and implementation of bye-laws among other legal processes where legal advice was required. Concerning the departments that were operating as decentralized, the researcher could also not establish the existence of any special budget lines for their operations. With the exception of Central Administration, Finance department and human resources, almost all the other departments operated with very few staff.

The study also established that four other key departments that were still operating as deconcentrated bodies of their regional and national ministries were Education, Youth and Sports, Agriculture and the Department of Health. These Departments were headed by a Metropolitan, Municipal and District Directors and were assisted by Deputy Directors who were in charge of the various units of the Department. For the Department of education, they are Deputy Director, Human Resources; Deputy Director Planning and Statistics; Deputy Director, Accounts and Finance and Deputy Director, Supervision. These departments continue to exist currently as deconcentrated District offices of the National and Regional Ministries with very strong allegiance to their “mother” Departments at the Regional and National levels, taking all instructions from same. Furthermore, and in contravention of the laws, their budgets are still not

integrated into the composite budgets of the Assemblies as is required by law, and as such, the former do not exercise any form of control over them. Again, the Assemblies exercise very little role in the management or administration of education, agriculture and health such as appointment of teachers and staff, monitoring and supervision, discipline, training and transfers of the staff of the three departments. Heads of all the departments however attend district Assembly meetings and also provide technical information to the Assembly for the formulation of sector specific policies. The study also found that the Composite Budgets of all the Assemblies made no provisions for the education, Agriculture and Health sectors with the exception of construction of school blocks and Community Health Planning Compounds for the education and health sectors, respectively.

The Department of Health in all the three Assemblies were also headed by the Metropolitan, Municipal and District Directors of Health, who are assisted by ten (10) other officials with specializations in Medicine, Pharmacy, Nursing, Accounting, Administration, Auditing and Health Information. Like the education department, the Offices of the department of health were located far away from the Office of the District Assembly. Operating also as deconcentrated bodies, their budgets, plans and all other activities get approval from the regional and national headquarters. Concerning their operating budgets, both the department of health and education claimed that for close to three years, central government had not provided them with any funds to enable them carry out their programmes and activities. Under such circumstances, the department of education operated with small amounts of internally generated funds which were not enough even to provide fuel for monitoring and supervision to be carried out. Likewise, the department of health operate on a limited scale with its own internally generated funds. These notwithstanding, officials of the two departments regularly attend

meetings of the Assembly where they also provide technical advice for local policy making. The department of health, for example, provide advice on sanitation, epidemic response and the siting of health facilities within the metropolis. With the exception of the annual reports on results of final year students in basic and secondary schools, the departments of health and education do not report to the Assembly as is expected by law since the heads claim that they reported to their heads at the National and Regional levels. This further contributes to keeping useful and relevant information about the activities of two of the most important departments outside the control of the local government.

Responding to a question on their perception about the current state of decentralization of both the health and education departments, their officials were of the view that decentralization, if there was any decentralization at all, it is only on a very limited scale for now. They were of the opinion that the only reason why the government and the Assembly were interested in decentralization was to enable them to have a hold on their funds so that they would do whatever they pleased with those funds. They also alleged that with the current high levels of mismanagement, corruption and politicisation of almost every business of the Assembly, the education and health of the people would be adversely affected by these practices if the decentralization of their department were to take place. They also referred to the low level of education of some of the District, Municipal and Metropolitan Chief Executives and asked how they could work under, and take instructions from officials with such low qualifications. Considering the major role that education and health play in the development of the people, the delay in implementing decentralization in these sectors in accordance with the appropriate laws to enable local people take control of decisions regarding their

health and education makes the entire decentralization project of little effect on the lives of the people.

6.2.1 State of Decentralization of Departments at the Tema Metropolitan Assembly

One of the critical factors for the successful implementation of administrative decentralization is the extent to which departments necessary for the implementation of local decisions are decentralized, that is, the level of control that local legislators and executives have over the activities of the departments that operate within the local Assembly. By the provisions specified in the First Schedule to Section 38 of Act 462, Local Government Act, 1993, and LI1961 Local Government (Departments of District Assemblies)(Commencement)Instrument,2009, a Metropolitan Assembly should operate sixteen (16) decentralized departments. These are Central Administration, Budget and Rating, Community Development and Social Welfare, Department of Urban Roads and Department of Agriculture. Others are Works Department, Transportation Department, Urban Roads Department, Legal Department and Physical Planning Department. The rest are the Health and Environment Department, Waste Management Department, Education Department, Trades Department and Disaster Prevention and Management.

Findings made by the researcher from the Assembly however indicate that for more than seven years after the law established them, not all the above departments are functional in the Metropolitan Assembly. These non- functional departments (those not constituted yet as departments at all) include the Department of Trade and Industry, Disaster Prevention and Management Department, Physical Planning Department and the Legal Department. Though not yet in existence as departments, there are officers who currently perform some of the functions that they were to perform. Two other key departments that have not been operationally decentralized yet are the Education, Youth

and Sports Department and the Department of Health. The Department of Education is headed by a Metropolitan Director of Education who is assisted by four other Deputy Directors who are in charge of the various units of the Department. These are Deputy Director, Human Resources; Deputy Director Planning and Statistics; Deputy Director, Accounts and Finance and Deputy Director, Supervision. The deputies head their various units. The education department continues to exist currently as deconcentrated District Education Office of the National and Regional Ministries of Education with very strong allegiance to its mother Departments at the Regional and National levels, taking all instructions from same. Furthermore, the budget of the education office is still not integrated into the composite budget of the Assembly as is required by law, and as such, the Assembly does not exercise any form of control over the budget. The Assembly exercises no role in the management or administration of education such as appointment of teachers and staff, monitoring and supervision of teachers, discipline, training and transfers. Officials of the education office however attend district Assembly meetings and also provide technical information to the Assembly for the formulation of education policy of the Assembly. In effect, the Budget of the Metropolitan Assembly makes no provision for the educational sector with the exception of construction of school blocks.

The Department of Health was also headed by the Metropolitan Director of Health, who is assisted by ten (10) other officials with specializations in Medicine, Pharmacy, Nursing, Accounting, Administration, Auditing and Health Information. Like the education department, the office of the department of health is located far away from the Office of the District Assembly. The budget of the health department is not captured in the composite budget of the Assembly except for some infrastructure projects that the Assembly may want to provide to assist the department. In the same vein, the

projects and activities of the department are not captured in the medium term development plans of the Assembly. Operating also as deconcentrated body, their budgets, plans and all other activities get approval from the regional and national headquarters. Concerning their operating budgets, both the department of health and education claimed that for close to three years, central government had not provided them with any funds to enable them carry out their programmes and activities. Under such circumstances, the department of education operated with small amounts of internally generated funds which were not enough even to provide fuel for monitoring to take be carried out. likewise, the department of health also operate on a limited scale with its own internally generated. This notwithstanding, officials of the two the departments regularly attend meetings of the Assembly where they also provide technical advice for local policy making. The department of health for example, provide advice on sanitation, epidemic response and the siting of health facilities within the metropolis. With the exception of the annual reports on results of final year students in basic and secondary schools, the Departments of health and Education do not report to the Assembly as is expected by law since the heads claim that they report to their heads at the National and Regional levels. This further contributes to keeping useful and relevant information about the activities of two of the most important departments outside the control of the local government.

Responding to a question on their perception about the current state of decentralization of both the health and education departments, their officials were of the view that decentralization, if there was any decentralization at all, it is only on a very limited scale for now. They were of the opinion that the only reason why the government and the Assembly were interested in decentralization was to enable them to have a hold on their funds so that they would do whatever they pleased with those funds. They also

alleged that with the current high levels of mismanagement, corruption and politicisation of almost every business of the Assembly, the education and health of the people would be adversely affected by these practices if decentralization of their department were to take place. They also referred to the low level of education of most of the District, Municipal and Metropolitan Chief Executives and asked how they could work under and take instructions from officials of such low qualifications. Considering the priority position that issues concerning education and health occupy among the needs of residents, the delay in implementing decentralization in these areas to enable local people take control of decisions regarding their health and education of their children makes the entire decentralization project of little effect on the lives of the people. The government however believes that the full decentralization of these two major departments would take place in early 2017 - after about three decades of implementation of the country's decentralization programme.

6.2.2 State of Decentralization of Departments at the Yilo Krobo Municipal Assembly

In the Yilo Krobo Municipal Assembly, the situation was no different. As if to show their defiance to decentralization, an officer insisted that the Department of Education in particular, does not even bear the current name under the decentralized system - Education, Youth and Sports. They continued to be known as the Department of Education; but not Education, Youth and Sports, as it is called under the decentralized system. The departments of education and health continued to take direct instructions and operate directly under the supervision of their regional officers. Their budgets were not integrated into that of the Assembly to give practical effect to the Composite Budget concept that the Assembly was expected to operate within the current decentralization policy. The Assembly, however, votes funds for the provision of infrastructure such as classroom buildings, school furniture, clinics and other facilities. Besides these budget

provisions, which were often very small, the departments of education, health and agriculture receive very little from the regional and national head offices apart from the salaries and allowances of their staff. The problem of lack of funds has made it difficult for the education department in particular to step out of their offices to go to the field to perform the functions required of them in the schools and communities. Unlike the health department, the department of education was unable to raise internally generated funds owing to the government's policy of fee- free education policy, which has also made it difficult for schools to raise Internally Generated Funds.

All heads of department however took part in the meetings of the Assembly, where they also answered questions and provided technical information for decision-making, but they did not feel bounded by most of the decisions of the latter. The attitude of the heads of these departments towards decentralization were found to be very bitter, negative and dismissive. For example, the mere mention to some officers at the education department that the researcher was studying decentralization was enough to incur the anger of some officials at the education department who said: *We can not discuss anything with you on this subject since we are not part of the decentralized bodies.* Referring to the Municipal Chief Executives who were normally appointed by the President, they were both of the view that the Assembly was headed by someone of much lower qualification and questioned how they were expected to take instructions from such incompetent people. They alleged that because the assemblies were performing so poorly in many areas, including Internal Revenue Mobilization, one of the aims of the decentralization programme was to enable the officials of the Assembly get control over the funds voted for them from their head offices for misuse by the officials of the Assembly. They also made references to the point that:

‘The Assemblies are corrupt, incompetent and inefficient to the extent that there are many occasions when they did not even have paper for printing,

nor fuel for driving their cars, especially when the release of the Common Fund was delayed. How can you conceive to draw us into such a mess through something called decentralization?’

Added one of the staff of the Department of Health. When asked about what may happen if the government tried to force them to be part of the departments of the Assembly in 2017, the deadline set by government to complete the transfer of all departments to join the departments of the Assembly, the officials maintained that such decisions would only lead to the collapse of the health and education systems which is likely to result due to corruption and incompetence of the Assemblies. One health officer asked:

‘If we are capable of managing our department more effectively than them, do you not believe that they would collapse the health sector if we allow them to take control of it’?

Some other highly placed officials of the department of health on their part indicated that they would prefer resigning from the public service and set up their own private clinics in the event of government pushing for their departments to be decentralized. There were still some moderates who suggested that should the government wish to push ahead with decentralization, they would expect that the Assemblies would not touch their funds, nor interfere with the appointments and promotions of their staff since that would make them vulnerable to political intimidations and unnecessary interference in their operations by politicians. While these claims may not be wholly ascertained, the current case of the Department of Agriculture might provide some level of caution for these officials. The Department of Agriculture, unlike education and health was recently decentralized to become wholly part of the departments of the Assembly. But the department has complained of several needs under its current status, the major one being financial ever since they were decentralized. Though its budget was fully integrated into the composite budget of the Assembly, it has been difficult for

the Assembly to release those funds for a number of reasons, including delays in the release of the DACF. It is also worthy of note that the agriculture department used to receive high levels of project support from the donor community, a situation that has greatly reduced or completely stopped. Officials of the department were, however, very convinced that working under the Assembly has reduced their level of activity greatly than it used to be the case.

Like in all the other Assemblies, there were other category of departments of the Assembly which though were expected by law to operate as departments of the Assembly, were still operating as units of the Central Administration. This category included the Transport, Physical Planning and Waste Management. Besides the fact that these do not have separate budget lines for their operations, they also reported directly to the Coordinating Director and MCE, and do not control any funds. Besides, they suffer from insufficient logistics, while they also had to contend with inadequate staff who also possessed limited qualifications. The drivers and schedule officer, for example, take direct instructions from the MCD and MCE who also keep all the car keys, and from whom authorizations for the use of any of the Assembly's cars were sought. These are clear demonstrations of the fact that resistance to decentralization could come from several fronts and at several levels. For example, it is interesting to note that while the executive of the Assembly itself seeks for deeper and greater decentralization of authority and control by central government, the same officers keep dragging their feet, at the same time, in granting authority for the decentralized departments to operate as such; still at the same time, some other departments at the local level also keep resisting efforts to get them decentralized to become part of the Assembly. What is common to all of them though is the desire to have control in each one's sphere of influence, obviously for the control of resources.

6.2.3 The State of Decentralization of Departments at Gomoa West District and Coordination

The Gomoa West District Assembly was required to operate eleven (11) Departments, including the Central Administration. It was, however, found that some of the required departments did not yet exist within the Assembly. These were the Trade and Industry Department, the Department of Natural Resources Conservation, Forestry, Game and Wildlife and Disaster Prevention Department. Some of the functions of these departments were however being performed by some units such as the Business Advisory Centre (BAC) and the National Disaster Management Organization (NADMO). In the Case of the Natural Resources Conservation, Forestry, Game, and Wildlife, the Assembly often sought for relevant advice and information from the Winneba Municipal Assembly whenever it became necessary. It was further revealed that the District Health Department, Agriculture and Education were not yet operating as decentralized departments although the L.I 1961, which was passed since 2009 made them part of the decentralized departments of the Assembly. Heads of these departments did not submit reports to the District Assembly as required by law. Even the heads of those departments that were decentralized did not submit reports to the Assembly. Besides, it was also not clear how the District Administration supervised the activities of both decentralized and non-decentralized departments as they were empowered by law to do. These notwithstanding, all heads of both decentralized and non-decentralized departments attended the District Assembly's Sub Committee and General Assembly Meetings where they offered information and advice for decision-making.

The Assembly was implementing the new composite budget system, as such; all district heads of department took part in the planning and budgeting sessions of the Assembly. For the Departments of Health, Education and Agriculture, the composite budget

covered them only partially. Only their expenditure estimates for wages and salaries (fully paid by Central Government) were covered in addition to school blocks and other infrastructure for health centres. These departments, therefore, operated the rest of their own different budgets in accordance with directives of their superiors at the regional and national levels. But the study again revealed that these departments had not received any budgetary allocations from their head offices for the past two years and more, thus making it very difficult to carry out basic office functions. The education department had been particularly affected since it could not generate funds from any means to support its activities. Officials of the department had found it very difficult to carry out any supervision. In enumerating some of their challenges, the district director of education lamented:

'The department has not received any money from the government for the past two years and more. We do not know whether it is because of the composite budget. Last year, the Assembly gave me only GH 100.00 to buy fuel to enable me go round to undertake some supervision. But even they are chasing me to get back that money since they said they were not responsible to support us'.

The budget of the Assembly covered all the decentralized departments but heads of those departments complained that the budgeted funds were often not released for them to carry out their planned activities. The Assembly spent most of its resources on the implementation of projects ranging from schools blocks, market facilities and other social infrastructure projects, almost all of which were supervised directly by officials of the central administration.

Based on the foregoing, the researcher found the current state of decentralization of the departments and coordination of their activities to be far below expectations. This is because, besides the fact that some key departments such as education, health and agriculture were still operating as deconcentrated bodies, some of those that were said to be fully decentralized were not operating as such. For most of the departments that

were even said to be decentralized, the role of the central administration in all three case studies were also found to be very strong in the day to day running and management of their activities, if not in total control of those activities.

6.3 Discretion of the Assemblies over Personnel Management

Local autonomy and discretion over the recruitment of staff, discipline, determination of the conditions of service of personnel, promotion and management of human resources generally provides opportunity for the local Assembly to not only obtain best performance from staff, but also, it allows the local assembly to reduce cost significantly and also enhance efficiency by hiring just the quantity and quality of staff that would serve its interests best.

To this end, the investigator also examined the state of control and discretion that the Assemblies possessed over the personnel that work at the decentralized departments of the Assembly. It was found that all the three Assemblies have four different categories of staff based on who hired, paid them and to whom they report, although these categories essentially fell within two broad categories: A few were hired by the Assemblies and others by Central government bodies. Among those hired by central government bodies, there were those staff who belonged to the Ministry of Local Government and Rural Development (MLGRD) and those who still clung to their parent Ministries such as Education, Health and Agriculture. In the Finance Department, there were officers who belonged to the Ministry of Finance and Economic Planning while others also took instructions from and reported to the Controller and Accountant General's Department. The final category of staff was those that were hired by the Assemblies on contract to perform basic services. These categories of staff included cleaners, grounds workers and commissioned revenue collectors. The existing situation is clearly in contravention of the provisions of L.I 1961(2009) which had

placed all departments of the Assemblies under the Ministry of Local government and Rural Development. One of the result of the current situation is that the Assemblies do not exercise much control over most of its own staff, except for the few temporary grounds workers and revenue collection staff who were engaged on contract by the Assembly. These categories of staff were paid by the Assembly from its own internally generated funds and were subject to disciplinary measures by management.

All other staff of the Assemblies were recruited and also paid by their respective central government ministries and departments, including the Ministry of Local Government and Rural Development and the Local Government Service. In the Yilo Krobo Municipal Assembly, for example, the researcher found a case where the current Human Resource Officer said the Assembly officials did not accept her posting to work with them because of overstaffing, but no one listened to those concerns. She said:

‘I was simply imposed on the Assembly. Even though Management were not ready to accept my posting to work with them here due to over staffing at the human resources department, they were unable to prevent me from coming here in spite of all their protests’

Although supervisors conducted annual evaluation of their subordinate staff to assess their performance, the former did not know whether such assessments were of any benefit to the Assemblies since they had no power to take any decision based on the results. One of the results of the Assemblies’ lack of power over the management of their human resources was that while some departments suffered from inadequate staff situation, others were at the same time overstaffed. This particular situation may not have arisen if the Assemblies had the discretion to manage its own human resources in a way that would inure to its best interests. A high-ranking administrator at Yilo Krobo Municipal found this situation to be very worrisome as he remarked:

A major challenge the Assembly has with other departments is that the Assembly cannot terminate the appointment of staff of other departments no matter how badly they perform. Again the Assembly cannot promote

anybody; neither does it have control over the recruitment...the Assembly should be given the power to do their own recruitment and promotion as that could help hire qualified people and also promote deserving staff.

For the transfer of staff out of the District, Municipal or Metropolitan area, it was found that the MMDCE's could initiate it, although the process was also described as very tedious. This could happen when MMDCEs found that an officer was not working in the interest of the governing party or government. Generally, though, it was observed that transfers out of the Assemblies were often made by central government bodies without much consultation with the affected Assemblies. Such transfers often take place any time that there was a change of government. This has often created instability and lack of continuity and orderly handing over from one officer to another.

Finally, the study also found that central government, through the Ministry of Local Government and Rural Development, also organized occasional training for both local legislators and administrators as well. While training for the Assembly Members often took place within the district, the Administrators had their training outside of the District, often at the regional and the national capitals. It was however found that the training periods for Assembly members in particular were very short in duration, and were often rushed through, lasting for only one or two days in some cases. There were also occasions where Assembly members from between three or five districts were brought together at one location for such training. One of the effects of such brief and mass training was that they could not be effective in enhancing the capacity of the intended beneficiaries. Overall, the researcher concludes that by depriving the Assemblies discretionary power over almost all decisions concerning their staff, the same could not be practically accountable to the local Assemblies in the manner that was envisaged by the constitution of Ghana regarding the relationship between local executives and the people.

6.3.1 Discretion over Personnel Management at the Tema Metropolitan Assembly

One important measure of administrative decentralization is the amount of control and discretion that the local authority has over the management of human resources within the departments of the local body. To this end, the researcher carried out an investigation at the Tema Metropolitan Assembly to examine the state of control and discretion that the Assembly possess over the personnel that work in the decentralized departments of the Assembly. For the Metropolitan Assembly, there are two types of workers. These are those who were engaged by the Assembly itself and those who were engaged by the central government. Those engaged by the Assembly were mostly of low-level casual workers that include local revenue collectors, city guards, messengers and cleaners. The Assembly engages these category of workers, determine their conditions of service, may terminate their appointment at its own discretion and their salaries are paid from the Internally Generated Funds (IGF) of the Assembly. For the mainstream workers of the Assembly, which include employees of decentralized departments, all of them were and continue to be employed and posted by central government. The government pays their salaries and transfer them at will. The Assembly had no control over the conditions of service of its staff; neither can it discipline them for any reason. Though the Ministry of Local Government and Rural Development have now initiated annual evaluation of staff of some of the departments, management of the Assembly were not sure of the extent to which the results affected promotions and discipline of staff since the local administration had little control in taking any action based on such evaluation. Also for the departments of Education and Health, the Assembly has no control over recruitment of staff, conditions of service nor transfer, discipline and postings of staff. The Metropolitan Assembly also, has no role in the supervision of teaching and learning in the Metropolis. These roles are performed by the regional administration, the central government and the departments themselves.

With such little discretionary power over recruitment, their conditions of service etc. over the staff of departments of the Assembly, one may find it difficult to understand the level of effectiveness with which the Tema Metropolitan Assembly could manage its human resources for the achievement of its vision for residents.

6.3.2 Discretion over Personnel Management at the Yilo Krobo Municipal Assembly Assembly

Local discretion over the recruitment of staff, discipline, determination of the conditions of service of personnel, promotion and management of human resources generally provide opportunity for the local Assembly to not only obtain best performance from staff, but also, it allows the local assembly to reduce cost significantly and also enhance efficiency by hiring just the quantity and quality of staff that they may require. The Assembly has four different categories of staff based on who hired, paid them and to whom they report. There were those staff who belonged to the Ministry of Local Government and Rural Development (MLGRD); those who still clung to their parent Ministries such as Education, Health and Agriculture. In the Finance Department, there were officers who belonged to the Ministry of Finance and Economic Planning while others also took instructions from and reported to the Controller and Accountant General's Department. The final category of staff was those that were hired by the Assembly to perform basic services. These categories of staff included cleaners, grounds workers and commissioned revenue collectors. The existing situation is clearly in contravention of the provisions of L.I 1961(2009) which had placed all departments of the Assembly under the Ministry of Local government and Rural Development. One of the result of the current situation is that the Assembly does not exercise any control over any of its most of its own staff, except for the few temporary grounds workers and revenue collection staff who were engaged on contract by the Assembly. These group of staff were paid by the Assembly from its own

Internally Generated funds, and were also subject to disciplinary measures by management. All other staff of the Assembly were recruited and also paid by their respective central government Ministries and Departments, including the Ministry of Local Government and Rural Development and the Local Government Service. Management has no hand in the recruitment of staff, their conditions of service nor could take any disciplinary action against staff. The researcher found a case where the current human resource officer said the Assembly officials did not accept her posting to work with them because of overstaffing, but no one listened to those concerns. She was therefore imposed on the Assembly to the displeasure of the former. Supervisors however conducted annual evaluation of their subordinate staff to assess performance, which results could be considered later by the Head office for the promotion of staff. Generally, the Assembly has a good number of qualified staff managing activities in all departments. It however became known that some departments suffer from unqualified and severe under staffing, while still others were overstaffed. This particular situation may not arise if the Assembly had the discretion to manage its own human resources in a way that would inure to its best interests. In discussing some of the key training needs of the Assembly and how to address some of the challenges facing administrative decentralization within the Assembly, the suggestion was made that the entire Assembly staff need to be trained or has to be properly informed on the concept of decentralization and what is required of them to make it a success.

6.3.3 Discretion over Personnel Management at the Gomoa West District Assembly

The possession by local governments of the power to manage its human resources is one of the key requirements for administrative decentralization. Among others, this empowers the local government to hire the right kind of staff that it finds necessary to deliver its own set performance levels also and maintain discipline among staff. To this

end, the researcher sought to find out about the level of control that local officials have over its human resources. The study revealed that the Gomoa West District Assembly had no role in the recruitment of the staff of the decentralized departments that worked for it. All staff were recruited and posted by either the public services commission, the Local Government Service, Ministry of Finance or the Audit Service, all from the national level. The Assembly could also not reject any staff that was posted to work with it. This notwithstanding, the DCE could recommend the transfer of an officer under circumstances that was described as for political expediency. This could happen when the DCE felt that such an officer was not serving the interest of the ruling political party and for that matter, the government. Similarly, all salaries and allowances of staff were also paid by the Central Government, except for the few temporary staff made up of cleaners and some other grounds workers who were employed by the Assembly. Promotion of staff was also done by the head office at the national level, but this was done based on prior evaluation of staff carried out by supervisors at the district level. For the non-decentralized departments such as education, health and agriculture, the district Assembly had no role in the recruitment, promotion, payment of salaries and evaluation of staff as well. All postings, promotions, and releases were done by the national and regional heads of the institutions. Generally, the non-involvement of the Assembly in the recruitment and general management of the staff of the Assembly had created a situation where the assembly had minimal control over of its own workers. The assembly could not reject any staff posted to it by the relevant central level bodies. Although the Assembly may recommend the transfer of staff, the process for such locally initiated transfers was described as very tedious, long and discouraging. Despite the fact that decentralization was being implemented for about three decades, department heads noted that there was no clear description and delineation of functions

and responsibilities of various decentralized departments. This had resulted in confusion and even conflicts in some cases between and among some departments. One other major human resource problem of the Assembly was the way central government bodies carried out transfer of staff. These were done with no prior notice to both the assembly and the staff who were involved. It was also revealed that there were instances where about three or more core staff of the Assembly were transferred at the same time. Such practices were found to have affected the smooth running and continuity of administration functions of the Assembly. Other human resources challenges facing the Assembly included lack of in - service training for staff, low productivity, understaffing, inadequate equipment and logistics for the smooth performance of duties.

6.4.0 General Findings on Discretion of the Assemblies over Decision- Making and Implementation

That the local people may have the right and opportunity to take and also implement decisions that may serve their interest best was one of the key motives underlying Ghana's decentralization system. However, the investigations conducted by the researcher at the three case studies suggest that the people and their local representatives were not contributing much to the key decisions of the Assemblies. All the three Assemblies had in place well constituted General Assemblies that are by law responsible for taking or endorsing all decisions of the Assemblies. They also have in place Executive Committees or the Authority, in the case of Tema Metropolitan Assembly (TMA), and various sub-committees of the Executive Committees. The Tema Metropolitan Assembly has forty-seven (47) Assembly members, out of which fifteen (15) were government Appointees. The TMA also had nine subcommittees and one other Committee- the Public Relations and Complaints Committee. The Yilo Krobo Municipal Assembly had a total list of sixty-five (65) Assembly Members, out of which

forty-four (44) were elected representatives. The Assembly also has in place six sub-committees in addition to the Executive Committee and Public Relations and Complaints Committee. On the other hand, the Gomoa West District Assembly had fifty-four (54) Assembly members, out of which thirty-six (36) were elected local representatives of all the electoral areas. It also has eight sub-committees in addition to the Executive Committee and Public Relations and Complaints Committee.

While the general legislative body made decisions, the implementation was done by the Executive Committee constituted of chairpersons of all sub-committees and others totalling thirty percent of the total membership of the Assemblies. While the Presiding Members chaired the General Assemblies and the Public Relations and Complaints Committees, the MMDCEs chaired the Executive committees. Notwithstanding the work of these committees, this study revealed that the Assembly members' role in decision-making in all the study districts were marginal. There were general feelings among both Assembly Members and some Administrators that central government and the local executive were the main decision makers rather than Assembly members and the local people. Assembly members in particular were of the view that the proposals they made from the sub-committee and even at Executive Committee levels were often substituted for those of the MMDCEs and the Administration. On the other hand, the administrators also intimated that there was too much central government control over the decisions of the Assemblies. One of the MCEs lamented

'Most of the time, MMDCEs take directions from the national and regional levels. We also seek approval from national and regional levels before implementing decisions. For example, the recent resolution by the Assembly for the transfer of the building Inspector needs approval from the national'.

This situation has effectively limited the discretionary powers of the Assembly to make decisions in the best interests of the local people. In a similar findings relating to decentralization in Senegal, Ribot et al (2006) asserted:

‘If central governments grant local governments the right to make and implement decisions, but in practice withhold resources or otherwise check local ability to do so, then discretionary powers have not been effectively transferred’.

It was also found that the required processes for decision-making regarding the participation of the public in development planning, budgeting and implementation were largely disregarded, except for some few public presentation of the draft development plans which were described an imposition rather than to serve as basis for discussion. On the role of local stakeholders in the appointment of the thirty percent government appointees, for example, the studies found that instead of consulting traditional leaders and organized groups as specified by law, it was rather party leaders of the ruling government that submitted names of party members for appointment as government appointees.

Commenting on the question as to whether the Assembly can be said to have discretion to make decisions generally, one other high-ranking officer at Gomoa West lamented:

‘There is too much control from the top. The government sets many conditions for the use of the Common fund which include indicating percentages to various sectors even sometimes with mandatory projects which you have to obey. Sometimes 60% of Common Fund is earmarked and you can’t resist since the DCEs are appointed. In 2014, as much as 20% of total Common Fund was earmarked by government for administrative expenses’.

6.4.1 Discretion of the Tema Metropolitan Assembly over Decision-Making and Implementation

In the specific case of the Tema Metropolitan Assembly, the General Assembly was found to be the highest and final decision-making body of the Assembly. It is composed of local legislators elected from electoral areas within the Metropolitan Area, the MCE,

the three members of Parliament (without votes), and other 30% of members appointed by the President. The general Assembly is chaired by a Presiding Member - one of the Assembly members who was elected by more than two-thirds of the entire members of the Assembly. Although the Assembly is required by law to operate as non-partisan, members claimed that Presiding Members mostly turned out to be members of the ruling party- a situation that also facilitated the ruling government to push almost all of its will through even at the local level with the trinity alliance between him/ her the 30% government appointees and the MCE who is also an appointee of the President. All the main policy decisions of the Assembly, including the budget, Medium Term Development Plan and the award of contracts need the prior approval of the General Assembly. This is to ensure that such decisions were not only owned by local representatives, but also that the decisions would reflect the best interests of members and also for legitimacy purposes.

For implementing the decisions of the Assembly and also coordinate decisions of the various sub-committees, the Metropolitan Assembly has in place the Metropolitan Authority (Executive Committee) which is assisted by three Boards of the Metropolitan authority. The Authority is chaired by the metropolitan Chief Executive. The three Boards assisting the Authority are the Metropolitan Planning Board with the MCE as chair, Board of Metropolitan Works, chaired by the head of Metropolitan Works Department and Board of Administration also chaired by the Metropolitan Coordinating Director. In addition to the MCE as Chair, other members of the Metropolitan Planning Board are the head of the Physical Planning Department, Chairman of the Board of Metropolitan Works, Chairman of Board of Administration, Heads of Non-Decentralized Departments, Chairmen of Sub-Metropolitan District Councils and Chairmen of the Sub-Committees of the Metropolitan Authority.

The Sub-Committees of the Authority are the Development Planning Sub-Committee, Social Services Sub-Committee, Finance and Administration Sub-Committee, Revenue mobilization Sub-Committee, Environmental Sanitation Sub-Committee and Education Sub-Committee. All decisions are first referred to the appropriate sub-committees for deliberations before they are sent to the Authority for further discussions. The Authority then collates all such decisions from the chairpersons of those sub-committees, who are also members of the Authority, and finally take them to the General Assembly for deliberations and final approval. Besides these formal structures, the Assembly also organizes periodic Town Hall and other Consultative meetings with the public, traders and taxpayers to collect inputs from them as part of the decision-making processes. Notwithstanding these arrangements for decision-making and the spirit behind them, findings from the Assembly indicated that most of the members felt that the executive branch of the Assembly has not allowed some of the structures, including the sub-committees, to function as they are required by law. They expressed doubt as to whether the decisions that were supposedly made by the General Assembly were in fact those of the Assembly or that they were decisions that largely reflected the wishes of the Authority that had the MCE as chair. This is because the Assembly members claimed that most of the decisions they often took at the sub-committee level were never captured in the report of the Chair of the Authority (EXECO) which is finally approved by the Assembly for Implementation. In one general Assembly meeting, which was also attended by the researcher for collecting more information, some Assembly members openly challenged the MCE concerning some decisions of their subcommittees that were not contained in the MCE's Sessional address. The common claims were that even after the general Assembly had approved decisions, the executive would selectively implement only those that served their interests most. Since every

MCE would eventually like to become a Member of Parliament(MP) they would often implement only decisions that would provide him/her ruling party an advantage in his/her parliamentary constituency to the disadvantage of even the other MPs.

6.4.2 Discretion of the Yilo Krobo Municipal Assembly over Decision-Making and Implementation

Like all the other Assemblies, the Yilo Krobo Municipal Assembly generally has the power to take various decisions in terms of policy and implementation of such decisions without recourse to anyone within and outside of the Assembly. The main decision-making body of the Municipality is the sixty - five-member General Assembly that is made up of forty-four elected and nineteen appointed members, the MCE and the Member of Parliament for the area. As purely a voluntary service, none of the Members, apart from the MCE and the Member of Parliament, received either salary or allowance for their services to the Assembly. Each of the 44 elected local lawmakers was elected to represent each one of the electoral areas through a universal adult suffrage in a local election that was organized by the Electoral Commission of Ghana. They had a maximum term of four years to represent their electorate at the Assembly.

The MCE was appointed by the President of the Republic following his earlier nomination by the former and approval by at least two- thirds majority of members who took part in the voting. Although the local government Act, 1993, Act 462, specified that the appointment of the appointed members should be done in consultation with local traditional authority and organized groups, members were of the conviction that none of the said consultations were made prior to the appointments. Instead, it was asserted that it was the local party that often provided the list for such appointments to be made. The sixty-six-member local general Assembly makes decisions for the Municipality. For example, the Assembly made by-laws to regulate the attitude of

citizens towards the environment, land development, management of traffic and packing of vehicles within the municipality among others. It also formulates its own development plans and related budgets, though these have to be approved by the Regional Coordinating Council as well as the National Development Planning Commission and the Ministry of Finance based on approved guidelines. Before decisions go to the General Assembly, however, there exists six sub-committees and two other committees that discuss all issues related to the work of the particular sub-committee. The Committees are the Public Relations and Complaints Committee, chaired by the Presiding Member and the Executive Committee which is also Chaired by the MCE. The sub-committees are Finance and Administration, Social Services, Development Planning, Works, Justice and Security and Agricultural sub-committees. Each Sub-committee discusses issues spelt out in the law for it in the relevant laws and policy. For example, while matters affecting the quality of education and teacher absenteeism were handled by the Social Services Sub-Committee, issues relating to revenue mobilization, the budget and financial discipline were handled by the Finance and Administration Sub- Committee.

Reports from all the sub-committees were then sent to the Executive Committee, which membership include chairpersons of all the sub-committees and other members making up 1/3rd of all the members of the Assembly, while the MCE serves as chair. Having deliberated further on items sent to it from the Sub- Committees, the MCE then reports to the General Assembly, on behalf of the Executive Committee. The General Assembly then discusses further and gives final approval to all decisions emanating from both Executive Committee as well as the Public Relations and Complaints Committee. Although the Assembly is permitted by law to hold more than three general

Assembly Meetings in a year, holding more than the minimum three meetings was not possible for the Assembly owing to challenges pertaining to finances. Management claimed that it was even difficult to satisfy the minimum requirement of three meetings because there was often no money to pay for the sitting allowances and cost of transportation for members.

Although the above process indicate how decisions were generally made at the Assembly, a number of Assembly members including even chairpersons of subcommittees expressed great dissatisfaction with the way the decision - making processes were often handled. One major problem was concerned with the reports that were often taken to the General Assembly by the MCE. Assembly members were of the opinion that most of the decisions that they took at the sub-committee levels and even those taken at the Executive Committee were often not submitted to the General Assembly by the MCE. They claimed further that the MCE and Management often submitted their own decisions to the General Assembly instead of that which members had discussed. With this background, members were of the opinion that most decisions approved at the General Assembly could best be described as decisions of the Executive than those of the Assembly. In instances where the views of Assembly members were captured in the policies and resolutions of the Assembly, such as the budget and development plans, members found that most of such decisions were not implemented. Although budget constraints were cited for this situation, it was also observed that management often implemented projects and activities that were different from those approved by the General Assembly.

Complaints were also made about the lateness in sending invitation letters, which were sometimes delivered as late as one or two days to the meeting. There were even some occasions where invitation letters to meetings were delivered to members while the said

meetings were already in progress. These were contrary to the legal requirement that such invitations must reach members at least two weeks to the meeting, and the letter must also be delivered personally to the member at the address provided by same to the Assembly. The practice had also not only made it difficult for the Assembly member to peruse the agenda and documents ahead of meetings to enable them make quality contributions to discussions, but had also made it difficult for members to have prior discussion of the agenda of meetings with the electorate for the purpose of receiving inputs from them as required by law.

Another problem centred on the duration of each Assembly meeting. The Assembly had never extended any of its meetings - General Assembly or Committee Meetings beyond one day (often from about 10 am – 3.00pm) although the law provides for the extension of such meetings to about two weeks. This situation has also been explained as resulting from the poor financial position of the Assembly, which makes it difficult to hold even the few meetings. Even with the few meetings, Management were not able to pay for some of the sitting allowances and travel expenses of members. This is in spite of the fact that the Assembly paid very small amount of money, not exceeding fifty Ghana cedis on the average for both sitting allowance and transportation expenses to each local law maker. The combined effects of the foregoing situation are that decisions that were often implemented by management lacked effective deliberations and inputs from lawmakers.

The Executive arm of the Assembly is made up of the Municipal Chief Executive, the Municipal Coordinating Director, The Finance Officer, Municipal Development Planning Officer, and the Human Resources Director with their deputies and all other staff of the Central Administration Department. Although the law mandates the

Executive Committee, with the MCE as chair, to be in charge of implementation of decisions of the General Assembly, the researcher could not establish any active role in implementation by other members of the Executive Committee, except for the quarterly meetings that they attended. While the MCE served as the political head, the MCD also functions as head of administration. The Co-ordinating Director performs administrative functions in the Assembly and reports directly to the Chief executive. By law, the various departmental heads and agencies were required to report to the District Coordinating Director. This requirement was not being fulfilled except for the occasional and brief answers and information that department heads often provided at the floor of the General Assembly when issues relating to their departments were raised at the floor of the Assembly.

6.4.3 Discretion of the Gomoa West District Assembly over Decision-Making and Implementation

In the case of the Gomoa West, the Assembly was also empowered by law as the highest decision-making body within its jurisdiction. All decisions were taken by the fifty-four-member General Assembly at duly called meetings that were always chaired by the Presiding Member. The fifty-four-member Assembly was made up of thirty-six elected Assembly members from each electoral areas and seventeen appointees including the District Chief Executive and the Member of Parliament who had no voting rights. The elected Assembly Members were voted into office to represent their electoral areas for a period of four years, although the electorate may recall them at any time. The process of recalling an elected member of the Assembly could be initiated by a signed petition of at least twenty-five percent of registered voters in the electoral area submitted to the Electoral Commission. Upon receiving the petition, the Electoral Commission then organizes a referendum to decide on whether the member should be recalled or not. The recall of a member would be upheld only if forty percent of the registered voters turned

out to vote, out of which sixty percent vote in favour of the petition. The Presiding Member of the Assembly, on the other hand, was voted into office by at least two thirds of the entire membership of the Assembly for a two-year term, renewal for the same period. The District Chief Executive was initially appointed into office for a four-year term, after he had been nominated by the President, which nomination was later confirmed by two thirds of the Assembly members who took part in the voting. He was reappointed to serve his final second four-year term, which ended in January 2017 with the coming into office of a new government. The seating of the General Assembly was, however, preceded by the work of the Executive Committee, which was chaired by the District Chief Executive, all the sub-committees of the Assembly and the Public Relations and Complaints Committee that was also chaired by the Presiding Member. The executive Committee was made up of chairpersons of all the Sub-committees and others not exceeding one-third of the total number of members of the Assembly who were elected from members of the Assembly. The statutory sub-committees of the Executive Committee were the Development Planning, Justice and Security, Social Services, Works and Finance and Administration Sub-Committees. The other sub-committees were the Health and Sanitation; Education and Agriculture sub-committees. The Executive Committee considers and deliberates on reports from all eight subcommittees of the Assembly, after which the District Chief Executive submits them as part of his sessional address to the General Assembly meeting for approval. Three of such general Assembly meetings took place within each year. This was the minimum number of meetings permitted by law, and each of the said meetings was held for only one day, although the law permitted a maximum of two weeks meeting at each session. Some of the powers of the Assembly ranges from the making and implementation of

byelaws; imposition of taxes, levies and licenses; development planning and management and budgeting, among others.

Although the foregoing represents the ideal processes for decision-making within the Assembly, the local lawmakers were not satisfied with the manner that the decision-making processes were handled by the administration. According to them, decisions that were purported to have been taken by them – the District Assembly were in fact, largely the decisions of the Executive. They claimed, for example that, most of the proposals that they sent from the sub-committee levels were often not included in the Sessional Address of the District Chief Executive. This, therefore, prevented such proposals from arriving at the floor of the house for adoption. Similarly, some members of the Executive Committee also complained that most of the decisions that were often contained in the DCE's Sessional address were not discussed at their meetings, indicating that the DCE and Management added some of the items to the Executive Committee's reports for approval by the General Assembly. On why such items were still approved though they did not originate from the sub-committees, members claimed that it was always possible to pass those decisions since the Presiding Member was always co-opted by the executive to support them.

Assembly Members also felt that the poor manner in which the Executive organizes meetings also affected the outcome of such meetings negatively. They said the number of meetings that were held were very few within each year, and all the meetings started very late in the day. Besides, the sitting allowances and cost of transport that they were entitled to by law, were often not paid by the administration with the usual excuse that there was no money. They also intimated that, invitation letters were often not distributed to members on time although the law required that management do that, at least two weeks to the day of meeting. Furthermore, they reported that documents for

discussions were in most cases not sent to them for prior review before the meetings, which is also in contravention of the law. The general effect was that members often attended meetings without adequate preparation to enable them contribute effectively to discussions. This situation was worst at meetings where bulky documents were involved. These together affected the contribution of members to discussions at General Assembly meetings, and therefore their inputs and the final quality of the Assembly's decisions suffered.

6.5 General Finding on Financial Capacity and Management of the Assemblies

The level of success in the implementation of any decentralization programme is, to a large extent, determined by the availability of adequate financial resources to enable decentralized bodies provide the needs of local people and also to live up to the assigned mandate of the local government. While access to funds could provide high opportunities for the Assembly to implement its programmes and projects, limited funds may disable the Assembly to provide for the needs of the residents. It is equally noteworthy that although the law may have provided for the transfer of power to local decentralized bodies, this could only become real if the Assemblies were provided with the necessary financial wherewithal to deliver its duties effectively.

The studies revealed, among others that all the Assemblies received funds from three main sources. These sources are the Government of Ghana, providing funds through the DACF and other Central Government sources; Donor Sources, and the Assemblies' own Internally Generated Funds (IGF). With the exception of the Tema Metropolitan Assembly, which received most of its funds from IGF, all the other Assemblies were unable to generate much resource from IGF. They were therefore very dependent on central government for funds to enable them implement their programmes. For example, while the DACF constituted only 10% of the total funds of TMA in 2015, the

same component constituted 55% and 62% for Yilo Krobo Municipal and Gomoa West District Assemblies, respectively.

Besides internal administrative challenges, one of the other major reasons explaining the low IGF for the two other Assemblies was because of the low revenue base of their areas that lacked businesses and other economic activities unlike the TMA which is the most industrialized area within Ghana. Even in the case of TMA, similar administrative weaknesses were found to reduce the actual potential revenue that the Assembly could have collected. The DACF was, however, found to face the problem of late releases which all the Assemblies had cited for affecting the implementation of their programmes and projects. Another major problem surrounding the DACF was that central government deducted huge portions of it at source to take care of purchases and procurements which central government had done on behalf of all the Assemblies although the Assemblies neither were consulted nor did they make those requests in the first place. This practice was found to have undermined the ability of the Assemblies to implement their own budgets and plans as they were left with only small amounts to manage with. The general financial inadequacies of the Assemblies coupled with the undermining of their discretion over the use of considerable portions of their allocations of the DACF through deductions on the part of central government was found to be a major source of worry for both local government administrators and legislators alike.

An administrator in one of the Assemblies lamented:

‘How can you transfer all these responsibilities for us to perform, but fail to provide us with the resources to work with? Even the money that belong to us, you are still dipping your hands in it to take it away...’

The study also found that although the local government laws, especially, Act 464 specified that government would create viable sources of income for the Assemblies to

raise income, the researcher did not find any such sources of income in any of the Assemblies.

6.5.1 Findings on the Financial Capacity and Management of the Tema Metropolitan Assembly

The main sources of funds for the Tema Metropolitan Assembly for the past three years is presented in appendix 6.1. Generally, Local Governments in Ghana receive grants from the Central Government in the form of the District Assemblies Common Fund, donor sources and other funds from Central Government. Besides, the local government laws, including Act 462 empowers local government bodies to raise funds locally from a number of sources within the local area of jurisdiction of the Assembly which is known as the Internally Generated Funds(IGF). These sources include Rates, Fees and Fines, Licenses, Land and Concessions, Rents, Taxes and Investment Income. Like all other local governments in Ghana, the Tema Metropolitan Assembly currently receives funds from four main sources. These are grants from the District Assemblies Common Fund (DACF), other grants from Government of Ghana, Donor grants - all being external sources and finally, sources internal to the Metropolitan Assembly.

In 2015, the Assembly received a total amount of Gh. **33,603,920.97(US\$8,400,980.00)** from these sources altogether. Over the past three years, the Internally Generated Funds was the single highest contributor of revenue to the total annual purse of the Assembly, contributing 56.7 percent of the total funds in 2015; 54.6% in 2014 and 50.5% in 2013. From appendix 6.1, it is evident that the DACF constitute only a small fraction of the Assembly's revenue - forming only less than 6% in 2013 and 2014. In 2015, this source constituted 10% while the Assembly still faces a number of challenges in collecting all the revenue due it. This situation is very unique for a Local Government in Ghana since for many Assemblies, the reverse is true, where the Internally Generated Funds may constitute about 10% while the DACF rather constitute about 80% of total revenue. The

situation is, however, not surprising considering the position of the Metropolis as the most industrialised district in Ghana.

From the table in appendix 6.1, Tema Metropolitan Assembly receives the greatest portion of its revenue from its own local sources, thus providing some amount of control to the Assembly for the Implementation of its plans, budgets and programmes. This notwithstanding, the Assembly's plans, budgets and programmes had often suffered implementation challenges due to the problems of long delays in the release of the Common Funds which sometimes were in arrears for over one year and unauthorized deductions at source by organs of central government, as well as unauthorized purchases by central government agents for the Assembly.

6.5.2 Financial Capacity and Management of the Yilo Krobo Municipal Assembly

In the case of the Yilo Krobo Municipal Assembly, the study revealed that the Assembly received funds from two main sources (Appendix 6.2). The sources were the Government of Ghana, in the form of grants which included the District Assemblies Common Fund (DACF) and the Internally Generated Funds (IGF) which the Assembly generates from several sources including royalties, rates, licenses, taxes and fees. As indicated in Appendix 6.2, Central government has been the major source of funding for the Municipal Assembly through disbursements from the District Assemblies Common Fund and other funds. The two central government sources together contributed a total of 65% of funds in 2015; 57% in 2014 and 55% in 2013 for the Assembly. The funds, which is also administered by the Common Fund Administrator, were usually transferred on quarterly basis to the Assembly though such transfers had often delayed for at least six months or more in some cases. This means that each of the amounts recorded for the DACF also contained arrears carried forward from the previous year. One of the reasons accounting for the frequent delays in releasing the

Common Fund to the Assembly was due to the fact that the fund is resourced from taxes and other income accrued to central government within the year. The process of collecting these resources naturally takes time to complete before the transfers could be made. Again, the amounts did not reflect the true situation since central government agencies and some Ministries make huge deductions from the Assembly's share of the fund at source before the remainder was transferred to the Assembly. Such deductions, it was explained, were often used to pay for procurements which those institutions had made on behalf of the Assembly. Commenting about the situation, a high ranking Administrator within the Assembly observed:

'Deductions are frequently made from our common fund by those at the top, but you can't do anything about it...there is no true fiscal decentralization... the decentralization Act should be fully implemented to the letter...there must be true decentralization.'

Some of the common procurement items here included all kinds of sanitation equipment and materials, payments for contractors of the School Feeding Programme, and other monies for the payment to some contractors engaged to undertake some other projects within the Municipality. Besides the fact that such procurements were often unsolicited, in most cases, they did not also come under the most immediate and pressing needs of the Assembly, neither did the Assembly play any role in the procurement processes involved. In addition to the general problem of low funds for the Assembly, these practices combined, had made cash flow to the Assembly highly erratic and unpredictable, making it difficult to forecast, plan and implement programmes and projects. In addition, some of the leadership of the Assembly had also intimated that the poor state of funding was equally responsible for the inability of the Assembly sub-committees and the general Assembly to hold more meetings than it was currently doing. It was therefore not difficult to understand why this practice by central

government and its agencies had become so unpopular among both administrators and local legislators of the Municipality, although they found themselves powerless to put a stop to it.

Regarding the ability of the Assembly to mobilize Internally Generated Funds to make up for shortfalls and delays in central government transfers, one may observe from Appendix 6.2 that although the amounts recorded showed increases in absolute terms between 2013 and 2015, in percentage terms the performance of the Assembly consistently fell over the same period. While the IGF component of the Assembly's total annual fund was 45% in 2013, it fell marginally to 43% in 2014, but recorded a steep drop to 35% in 2015. The Assembly, however, believed that the Municipality had a high revenue base as well as the potential to generate far more funds than it is doing now, but for some existing challenges. Among the major challenges affecting revenue collection were inadequate number of revenue collection officers, poor state of and inadequate logistics for revenue officials to enhance their efficiency and high rates of defaults among residents in honouring their tax responsibilities.

6.5.3 Financial Capacity and Management of the Gomoa West District Assembly

The Gomoa West District Assembly received funds from three main sources. The sources were the Government of Ghana, Donors and the Assembly's own Internally Generated Funds. The Government of Ghana sources were made up of wages and salaries from the Ministry of Finance (not shown), Funds from the Ghana School Feeding Project (GSFP) of the Ministry of Gender and Child Protection, and the District Assemblies Common Fund (DACF) administered by the Common Fund Secretariat. There were also some allocations from the Highly Indebted Poor Country (HIPC) funds although this source had witnessed significant reductions of late. Total funds available to the Assembly amounted to 1,806,895 cedis in 2013; 2,859,391 cedis in 2014 and 3,

064,153.37 cedis in 2015 indicating increases in total revenue over the years. Of all the funding sources available to the Assembly, funds from central government sources by way of the District Assemblies Common Fund and the School Feeding Programme were the major ones. Together, both sources, including the HIPC fund, contributed 77% of the Assembly's total Funds in 2015; 65.7% in 2014 and 73% in 2013(Appendix 6.3). On the other hand, Internally Generated Funds contributed only 11% of the Assembly's total funds in 2015;10% in 2014; and 10% in 2013(Appendix 6.3). The low contribution of IGF to the treasury of the Assembly had made it to be highly dependent on central government to enable it finance all of its development budget as well as some other recurrent expenditures. The financial predicaments of the Assembly were even compounded by the frequent delays on the part of central government bodies to release the funds to the Assembly.

Considering the development challenges currently facing the Assembly, the total funds available to it was found to be inadequate, as management of the Assembly had complained bitterly about the current financial challenges facing the Assembly. Among the major financial challenges currently facing the Assembly were what officials described as the 'huge deductions' that government made at source from the Assembly's share of the District Assembly's Common Fund. The deductions were often made by central government agencies to pay for the costs of items that were procured by these bodies for and on behalf of the Assembly though they were not requested for by the Assembly in the first place. They also included some other projects such as the construction of basic school blocks which central government bodies awarded on contracts on the account of the Assembly and contracts for catering services for the Schools Feeding Programme. Among the items purchased for the Assembly included

computers, electricity poles, electric bulbs, calendars, sanitation equipment, and office supplies.

The administrators also observed that the costs involved in such projects and purchases were often higher than they could procure them from local vendors or suppliers. They however noted that they were unable to complain since they could not fight the central government especially when the DCE was not willing to incur the displeasure of those who appointed him. Besides, the funds from the Common Fund Secretariat were always delayed in their release. It was common for such delays to extend to about a period of one year. The other challenges responsible for the financial predicaments of the Assembly included the low response on the part of tax payers to pay basic rates, licenses and fees as a result of low public education on the need to pay taxes. Finally, the revenue collections unit of the Assembly also lacked the basic logistics such as means of transport to use for the purpose of revenue collection. The ultimate effects of the foregoing challenges included the inability of the Assembly to implement most of the activities and projects spelt out in the medium term development plans; low responsiveness to the needs of the public and lack of respect for the Assembly.

Under the situation where the Assembly is heavily dependent on the central government for most of its funds to enable it implement its own development plans and budget, in addition to the fact that central government and its agencies could spend the monies belonging to the Assemblies without the necessary authorization, nor could the later question the former for such wrongful acts, one may conclude that the Assembly could not be said to be financially autonomous. It was therefore not surprising that the administrators had desisted from doing that for fear of some of them being punished by the central government.

6.6 General Findings on Decentralized Planning, Budgeting and Implementation of Projects

Decentralized Planning in Ghana is generally regulated by an Act of Parliament, the National Development Planning System Act, 1994, Act 480. The act establishes the decentralised national development planning system that comprise the District Planning Authority at the district level; Regional Coordinating Councils at the Regional level, Sector agencies of Ministries and the National Development Commission at the national level. In addition to serving as the National Coordinating body for preparing development plans of all the District Assemblies and giving approval for same, the National Development Planning Commission also issues guidelines for the same purpose to ensure that all district plans are guided by development objectives and priorities of Central government. The Regional Coordinating Council provides coordinating, monitoring and evaluation functions in the process, while the Metropolitan Assembly has the responsibility of preparing the plan.

Among others, the study found that all the Assemblies had power to prepare their own Medium Term Development Plans and related medium term and annual budgets. There was however only minimal involvement of the public in the planning and budgeting processes in all the Assemblies. The Assemblies organized a few public fora at some urban and town Council levels to provide opportunities for traditional heads and other opinion leaders to listen to presentations of the proposed development plans and budgets and also make suggestions. Most of the members of the Town and Area Councillors and Unit Committee members who participated in such fora, however, were of the opinion that the Assemblies generally did not take suggestions from the public seriously since the suggestions from such encounters did not manifest in the final plans and budgets. The Assembly members, on the other hand, asserted that although they were required by law to deliberate on all decisions of the Assembly and also

approve same at the various sub-committee levels, the administration often pushed through decisions that the former never discussed nor approved of. Such decisions, they claimed, were often approved by the General Assembly notwithstanding, using the votes of government appointees and the Presiding Members, most of whom were affiliated to the governing Party. The chair of the Development Planning Sub-Committee in one of the Assemblies lamented:

Assembly members have no role in the decisions. We are not even told about projects being brought to our own areas. Most of these decisions were those of the MCE and the Executive.

These situation was exacerbated by the fact that only few meetings were organized by the Sub- committees, the Executive Committee and the General Assembly within the year. Not many meetings were organized by the Assemblies because they all claimed that their difficult financial positions did not permit them to organize any more meetings above the minimum number of four which was provided for by law. With the exception of Tema Metropolitan Assembly, payment of sitting allowances and transportation costs for Assembly members were found to be particularly difficult for the Municipal and District Assemblies.

6.6.1 Decentralized Planning, Budgeting and Implementation of Projects at the TMA

Like all other Assemblies in Ghana, sections 12 and 46 of the Local Government Act, 1993, Act 462 established the Tema Metropolitan Assembly as a Planning Authority charged to perform planning functions within its area of jurisdiction through the Metropolitan Planning Coordinating Unit. The said development policy plans of the Assembly should however be prepared using the approved Master Settlement Plans of the City and guidelines provided by the National Development Planning Commission to ensure compatibility of thematic areas with central government development priority

areas. Finally, the planning process itself must respect the provisions of the National Development Planning System Act, 1994, Act 480.

The planning functions of the Tema Metropolitan Assembly is performed through the Metropolitan Planning Coordinating Unit which is headed by the Metropolitan Development Planning Officer. Among the planning related functions, the Unit is responsible for the coordination of all planning activities; carry out studies relevant to the performance of the Planning functions of the Assembly, and also initiate the preparation of the periodic Medium Term Development Plans using guidelines provided by the National Development Planning Commission. The planning processes of the TMA usually begin with a call to the departments of the Assembly as well as Assembly members to submit to the planning unit priority requests from their electoral areas for consideration. Some of these requests may be incorporated into the plan while others may not. Further, some community level meetings and hearings also take place at the sub-metropolitan District Council level mainly to assess the needs of the Community and prioritization. Considering the size of the City, one may argue that limiting the public hearings of the plan to the few Sub-Metropolitan Council level without going further to the Town Councils, as provided by law, could deny majority of citizens the opportunity to familiarize themselves with the development plan and also make their inputs. Officials of the Assembly however, cited cost as one of the main limiting factors to broaden citizens participation in the planning process. The Assembly further organized stakeholders Hearing Sessions for further presentation to stakeholders to seek clarifications and also receive feedback from them to improve the content of the plan. The final document is taken to the general Assembly for further deliberations and final approval by the local legislators thus setting the stage for further approvals by the Regional Coordinating Council and the National Development Planning Commission.

Officials of the Assembly believed that the processes at the local level made the final plan people-centred and participatory. However, the Assembly Members were of a different opinion regarding the claims by the officials. They asserted that rather than coming from them and their communities, most of the content of the development plan often emanated from the Sessional Address of the Metropolitan Chief Executive (MCE).

Although the address is supposed to originate from decisions of sub-committees of the Executive Committee of the Assembly, Assembly members claim that most of the suggestions made by the Sub-committees were often not captured in the Sessional Address of the MCE. They were instead substituted for those of the MCE and the administration which were often meant for the political advantage of the MCE and his party. One Assembly Member remarked:

'The plan is more of the MCE's Plan than that of the Assembly'. Another also said: ' the Executive Committee or Authority is often manipulated to accept the wishes and interests of the MCE than any other's interest'.

Another key Member of the Assembly remarked:

'Some decisions or most decisions of honourable members are not implemented by the Staff'. Furthermore, the local legislators reported that most of the time, projects would be denied to areas where the Assembly Member was suspected to belong to an opposition party. To this one other high profile Assembly member said:

'Some electoral areas within the Tema West Constituency known as the peripheral areas have not seen much of the projects of the Assembly'.

Some Assembly members also intimated that where officials of the Assembly visited their communities, such visits were made without their knowledge. Also, contractors who were engaged by the Assembly to work on projects in their electoral areas come to execute their jobs often without giving them any information nor involve them in

anything. Whenever such contractors were approached over the issue, they would be told that they did not sign any contract with them, the Assembly members.

Though almost general, these problems (which occur under any government) were also more serious where the Assembly member was suspected to belong to a different political party than the ruling party to which the MCE is a member. On monitoring and evaluation of projects, again members said that they played almost no role at all with the exception of the works sub-committee which sometimes visit project sites in the company of some officials of the Assembly including the engineer. Generally, the local legislators did not believe that officials valued their participation nor respected their decisions. In response to why the Assembly members still approved the plans though they were mostly made up of the priorities of the Executive than their own and their communities, it was said that the MCE's and the Executive would often get some members, including the government appointees to speak in favour of and also vote for whatever items that were brought to be voted for. They also pointed to the fact that whoever served as the Presiding Member of the house was also a big factor, and that since it was always ensured that the person elected to serve as Presiding Member also belonged to the party of the ruling government, it was never a difficult task to get through anything that the triune alliance of the MCE, the Presiding Member and the government appointees felt to be in the interest of the ruling party or government.

There was a general agreement though that the implementation of the approved plans of the Assembly have been suffering from disruptions by projects considered to be of emergency nature coming from central government and its agencies which according to officials had to be given priority over those of the local Assembly. These projects gained their "emergency status" simply because these were projects that originated

from and awarded by central government and their agencies hence the need for them to prevail over all other projects though the Assembly had to pay for them. An example of such projects was a five-year mandatory sanitation projects that were awarded in Accra in 2016 on behalf of all the 216 MMDAs although the contract sums involved in each quarter(the payment periods for five years) did not exceed the range that the Assemblies could award on their own. MMDCEs were latter made to sign the contracts on behalf of their Assemblies whether they were approved by the various Assemblies or not. It was also revealed that no MCE could look on for such projects to be delayed or rejected by their Assemblies since that would constitute a disrespect to the President - an act for which an MCE could be removed from office by the President who also appointed him to the office.

As a tool for the implementation of the Assembly's Medium Term Development Plan, the Metropolitan Assembly's Composite Budget is usually prepared using the guidelines issued by the Ministry of Finance, which also is guided by the Government's Development Plan currently titled: Ghana Shared Growth and Development Agenda (GSGDA II) 2014 - 2017.

Part of the guideline issued by the Ministry of Finance (MoF) to guide the preparation of the Assembly's budget from 2015 to 2017 provided as follows:

All Ministries, Departments and Agencies (MDAs) and Metropolitan, Municipal and District Assemblies (MMDAs) will be required to prepare their 2015-2017 budget based on their 2014-2017 Sector/District Medium Term Development Plan (S/DMTDP). The S/DMTDP in themselves should have been prepared based on the Ghana Shared Growth and Development Agenda (GSGDA II), 2014-2017 document (MoF, 2014: 1).

The budget process begun with a call from the Budget Officer to all departments of the Assembly to submit their proposed budgets in line with the Medium Term Development Plan. For the purpose of taxes, the assembly also organized consultative sessions with traders, drivers and other tax payers for the fixing of various fees, rates and taxes etc.

This process, some of the traders had described as only cosmetic since they assert that the officials of the Assembly never listened to their concerns, that they only used such meetings to inform them of the various amounts that they would be expecting them to pay. Decentralized departments on their part had equally complained that the final provisions made for them in the budget were always very far below their requests to the point that their main planned activities had often faced the problem of implementation. After the various consultative processes, the draft budget is then taken to the Finance and Administration Subcommittee as well as the Executive Committee of the Assembly for further deliberations and approval. Finally, the budget is then sent to the General Assembly at a duly called ordinary meeting for final deliberations and approval. Again, though this final approval is given by the Assembly Members, some of them still maintain that the budget, like the development plan, may not necessarily reflect the priorities of the local legislators since the processes that culminate in its final approval may not permit their priorities nor those of their communities to be captured in an appreciable way. They, to a large extent, may reflect the priorities of the MCE and Administrators which were often based on political considerations.

The full implementation of the Assembly's budget had often suffered from the inability of the Assembly to collect all the revenue that it is entitled to from both local and external sources. The external factors were mainly the result of deductions made at source by government and its agencies from its share of the Common Fund to pay for unsolicited purchases made on its behalf including the need to provide funds for unbudgeted 'emergency projects' barely imposed on the Assembly from central government which must be offered priority at all times. This could explain some of the reasons for the irregular level of growth in the quantum of money received from the DACF as shown in table 7.2 above. For the internal collections, the Assembly had

complained about weak revenue collection methods and leakages, which had led to the privatization of the collection of internally generated funds.

6.6.2 Decentralized Planning, Budgeting and Implementation of Projects by the Yilo Krobo Municipal Assembly

The Yilo Krobo Municipal Assembly was equally set up by law as A Planning Authority responsible for the overall development of the Municipality. The Assembly consequently was further empowered to prepare its own development plans as well as budgets to enable it implement projects and programmes that could lead to the enhancement of the living conditions of the people.

In fulfilment of these responsibilities, as narrated by management, the Assembly prepares its own Medium Term Development Plan and as well as a related Medium Term Composite Budget which then served as a guide for the annual action plans, budgets and projects. However, prior to the preparation of the development plans and budgets, guidelines were often sent from the National Development Planning Commission and the Ministry of Finance to guide the Assembly as to what and how to go about with its planning and budgeting. The plan and/ or budget would be rejected by the if any one of them was found not to have complied with the relevant guidelines. The guidelines themselves were based on the ruling government's development vision and also its financial projections for the country in the short to the Medium term. The Development Planning Coordinating Unit (DPCU) of the Assembly was always responsible for coordinating the preparation of the development plan. Members of the DPCU included the Municipal Planning Officer, and all Heads of Department within the Municipality. After collating the necessary data for the preparation of the plan from departments and other sources by the Development Planning Officer, various meetings of the DPCU were summoned for presentation and discussion of the draft report. The draft report was then sent to the development planning sub-committee of the Assembly

for deliberations after which it was again sent to the Executive Committee for further discussions. Having discussed it at this level, the final report was then taken to the General Assembly for further discussions and final approval. With regards to the budget, the process often begun with the fee fixing resolution where the Executive of the Assembly meets with all stakeholders including representatives of traders and heads of department. The outcome of the fee fixing resolution was then used as basis for revenue projections for the Assembly for the coming year. Together with information and guidelines received from the Ministry of finance, the Municipal Assembly then prepared the draft composite and annual budgets. The draft budget was then discussed by the executive before it was sent to the Finance and Administration sub-committee for deliberations. After this stage it is then taken to the Executive Committee with or without alterations. The Committee also discusses it further. Having discussed it comprehensively, the Executive Committee takes it further to the General Assembly through the MCE. The budget, which up till this time is still referred to as draft, is presented to the House either by the Budget Officer or the Chairman of the Finance and Administration sub-committee. The House then gives its approval after all questions, concerns, suggestions and answers are provided and noted for action by management. Having received the final approval of the General Assembly, the implementation of both the Medium Term Development Plan and the Budget becomes the responsibility of the Executive Committee chaired by the Municipal Chief Executive, and with the support of the entire executive body of the Assembly.

Notwithstanding the foregoing general decision- making processes of the Assembly, local law-makers had itemized a number of concerns about the decision-making processes that could not only undermine the quality and sense of ownership but also the legitimacy of some of the decisions of the Assembly, if not most of them. Firstly, the

law makers intimated that most of the so called *decisions of the Assembly* were in actual fact the decisions of the MCE and a few other members of the Executive. This according to them was because majority of the decisions that they took at the various sub-committees were never found in the reports and quarterly Sessional Addresses of the MCE, which in most cases constituted the basis of policy decisions of the Assembly. They lamented that management often substituted the decisions of members for their own preferences in major matters concerning the medium Term Development Plan, the budget and other projects and programmes. Although they sent requests coming from their Communities to management, such requests were often overlooked. That, even where their decisions were included in the budget and programmes of the Assembly, management would often ensure that their own preferred decisions were implemented at the expense of the decisions of the General Assembly. In confirmation of this matter, one high ranking member of the General Assembly lamented:

'Decisions of this Assembly more often than not come from the top, and come what may, they will be implemented'.

Assembly members asserted that the problem was so bad that projects were carried out in their electoral areas under contracts awarded by management without their knowledge. Under such situations, it had always been difficult to either get information from the contractors or to carry out any supervision over them since such contractors were quick to disregard them with the excuse that they could only respond to concerns of management who awarded them those jobs.

In the same way, members of the Executive Committee had grave concern over the fact that they never had knowledge of certain decisions that were submitted to the General Assembly as emanating from the Committee neither did they play any role in the implementation as the law required of them. Under such circumstances, implementation

was left in the hands of the MCE alone who may then brief other members either at the floor of the General Assembly or at a meeting of the Committee. Of similar concern for both management and Assembly members were projects that were awarded on contract by central government Ministries and Departments within the Municipality with very little involvement of the Assembly, be it law makers or the Executive. The Assembly was unable to exercise any supervision over the contractors working on such projects, most of which were abandoned at different levels. In responding to a question concerning who then was actually in control of the Assembly – Management or Assembly members, in the context of the foregoing, members claimed that the MCE in particular and the Executive in general were in firm control of the Assembly than anyone else. This, according to them, was because the decision and preferences of the MCE and his other Executive members always got implemented over and above those of the Assembly members.

This situation of the Assembly is very different from the avowed constitutional expectations that sought to bring '*persons in the service of the local government under the effective control of local authorities*'. There is therefore a reversal of power and authority where those who are in service of the Assembly are rather in control of the people and institutions that should possess and exercise the power.

6.6.3 Decentralized Planning, Budgetting and Implementation of Projects by the Gomoa West District Assembly

The Gomoa West District Assembly was set up by law as a Planning Authority and also as the highest administrative and political authority in the District. As a planning authority, the Assembly is responsible for the overall development of the district by carrying out programmes and strategies that may lead to the effective mobilization of all the resources available within the district for development. To perform this role, the Assembly was also empowered by law to prepare medium term development plans and

related budgets using guidelines provided by the National Development Planning Commission and the Ministry of Finance, which also approved of the plans and budgets before implementation could be effected. The final plans and composite budgets were however coordinated by the Central Regional Coordinating Council. Implementation of both the medium term development plan and the budget were executed out by the Executive Committee of the Assembly under the chairmanship of the District Chief Executive, and also with the support of other officials and departments. At the district level, the preparation of the Medium Term Development Plan was coordinated by the District Planning Coordinating Unit (DPCU) led by the District Development Planning Officer, while the preparation of the Budget was coordinated by the District Budget Officer.

Generally, the preparation of the Medium Term Development plan was initiated by the DPCU issuing invitations to departments, units and Assembly members to submit proposals for consideration. Using the approved proposals, a draft Medium Term Development Plan was prepared, which was later presented at Stakeholders forum for the purpose of soliciting for more inputs and providing information to the stakeholders. The draft was later taken to the Development Planning Sub-Committee of the Assembly for consideration. It was later submitted to the Executive Committee for further deliberations, after which it was taken to the General Assembly for more discussions by the full house, and also for final approval. The budget equally went through similar process, except that meetings were also held with some of the leaders of local economic interest groups and associations to decide on the levels of fees, taxes, rates and licenses to be paid before it was captured by the budget. The draft budget was also sent to the Finance and Administration Sub-Committee for discussions and approval before it went to the Executive Committee and later to the General Assembly. The Assembly's

Development Plans and budgets did not cover all the programmes of all departments. Such departments included health, Education and Agriculture as they were either not decentralized yet or they were still not fully decentralized. This notwithstanding, the Assembly still planned and budgeted for some basic infrastructure such as classroom blocks, school furniture and clinics for the education and health departments, respectively. All other projects and programmes of the non-decentralized departments were not covered in the budgets of the Assembly. This also made it difficult for the Assembly to monitor the programmes and activities of such departments.

Although there were some attempts to involve some members of the community in the planning and budgeting processes, local law makers observed that only a few of such meetings were hurriedly organized, offering very little time for a few people to participate in the process. They questioned the quality of the said consultative meetings and wondered whether it added any value to the planning processes since such meetings never changed anything that the executive had planned to do.

The study also revealed that most of the decisions taken by the local legislators at the sub-committee level were never reported by the DCE during his Sessional Addresses. Similar observations were also made by some members of the Executive Committee that the decisions often reported by the District Chief Executive were largely not representative of what they had all to at the Executive Committee level. Consequently, they held that, majority of projects and programmes found in both the budgets and the Medium Term Development Plans originated from the administration, but not from the Assembly members. This made it difficult for them to get their own projects, which may address some of the development problems of their electoral areas to be captured in the final plans and budgets. According to them, it was always difficult for the administration to review their budgets and plans even when Assembly members and

members of the public saw that to be necessary. The local law makers also claimed that political considerations had always influenced the allocation of projects and hence the budget, thus making it very difficult for development projects to be evenly distributed across the district. Those who belonged to the opposition party believed that their electoral areas were denied projects although the Assembly was supposed to be nonpartisan.

Generally, there were always problems implementing the plans and budgets of the Assembly mainly due to financial inadequacies. The two major factors responsible for the financial problems of the Assembly included the low level of internal revenue. This had led to the situation where the Assembly could not implement any of its development plans and budgets until it received allocations from the District Assemblies Common Fund and the District Development Fund (DDF). Although the Assembly received most of its funds from the central government, it was observed that the government and its agencies deducted huge amounts from the Assembly's share of the Common Fund at source. These monies were used to make several kinds of procurement for the Assembly though they were done without their consent. Besides, there were also delays in releasing the remaining amounts to the Assembly. Such delays could take as long as three quarters to one year before the monies were released. The combined effects of these problems were that the Assembly was often unable to implement most of its budgets and development plans. Also, there were frequent indebtedness of the district Assembly to suppliers and contractors for goods and services provided as they waited for the funds to be released.

The frequent lack of funds had a profound effect on the implementation of planned projects, programmes and the budgets of the Assembly. In conclusion, the study found, among others, that although the Assembly had powers and responsibility to plan for the

overall development of the district, most of the key planning and budgeting decisions were made by the administrators, and central government bodies and agents. These were only endorsed later by the legislative body. The situation had made it difficult for Assembly members to get the needs of their electoral areas captured into the development plans and budgets for possible redress, thus making the Assembly largely unresponsive to the needs of the people.

6.7 Summary of Discretion over Procurement Management by the Assemblies

The power possessed by a decentralized unit to manage the procurement of goods and services in a way that it considers best in the interest of the people could be viewed as an important aspect of the measure of depth of decentralization. The Procurement of goods, works and services for the Assemblies is, among others, regulated by Section 39 of the Local Government Act, 1993(Act 462); the Public Procurement Act, 2003(Act 663) and the Public Financial Management Act, 2016(Act 921). All the laws aim at ensuring a transparent, fair and cost efficient means of procuring works, goods and services by all state institutions who have the responsibility to manage public funds. The procurement system established for the Assemblies in particular aims at procuring goods, services, and works of the right quality, at the right price, at the right time, and at the right place through an open competitive tendering process.

In line with the provisions of the current procurement law, all the Assemblies were constituted as Procurement Entities having the legal as well as administrative mandate to engage in procurement processes. Other procurement structures are Procurement Units which is an outfit within the procurement entity with the responsibility of coordinating all the procurement activities of the Assembly.

The Metropolitan, Municipal and District Chief Executive serve as the heads of the procurement entities at all the Assemblies. They are charged with the responsibility of

ensuring that the provisions of the procurement law were adhered to, served as Chairpersons of the Tender Review Boards; they signed contracts on behalf of the entity and also have power to modify or reject a contract submission with reasons. The MMDCEs were also accountable for any actions taken within the entity with respect to procurement. Notwithstanding the existence of these procurement structures, the studies established that all the Assemblies operated outside of the existing laws. Most of the local law-makers did not know how contracts were awarded, but claimed that most of the procurements of the Assemblies were done by the MMDCEs and a few of the members of the executive. The rest of the procurements were made by central government and regional bodies although the contract sums involved did not warrant the latter to handle those procurements. It was also found that the costs of such procurements were deducted at source from DACF accounts of all the Assemblies. Although none of the Assemblies was happy about the practice, they also found themselves incapable of challenging the actions of central government no matter how unlawful such actions were. A senior official at one of the Assemblies commented:

‘We need real decentralization in everything, but now central government and others at the national level award contracts on behalf of our Assembly and they deduct all the costs from our DACF accounts; this is dictatorial’

The main items often procured by central government for the Assemblies include equipment for the management of liquid and solid waste, computers and other office consumables, and the award of contracts for the feeding of children of basic schools and the construction of school blocks. Although some researchers have argued in favour of central bulk purchases on the grounds of taking advantage of the economies of scale, purchases and procurements made by the central government for the Assemblies were said to be more expensive than those on the market. There were also no warranties for the items, neither were there any after sales services. This resulted in the breakdown of

some of the machines soon after they were delivered. Based on the findings, the researcher concludes that the General Assembly generally lacks discretion over procurement processes of the Assemblies; those decisions are mostly in the hands of the MMDCEs and some of their core executive members and central government bodies and agencies. One of the local government Inspectors lamented on the effects that such interference brought to the Assemblies as follows:

‘Government pushes projects and purchases over the Assemblies, but no one can do anything so long as the MCE, Finance Officer and Coordinating Director know about it. Most of the things in the Development Plan and Budget are often sacrificed for the ones pushed from the top’.

6.7.1 Discretion over Procurement Management by the Tema Metropolitan Assembly

At the TMA, other members of the Metropolitan Entity Procurement Committee, besides the MCE are the Director of Finance, the Legal officer of the Assembly, Chairpersons of the Works and Finance and Administration sub - committees, two heads of department (one of whom must be the user department of the works, service or goods to be procured), the Budget officers and the Coordinating Directors. The Assembly also have in place an Entity Tender Committee responsible for review and approval of annual procurement plans. The Committee also has power to approve contract upon submission, and may also reject same. Also, a five-member ad hoc Tender Evaluation Panel exists which recommends the award of contract, and is made up of persons with training and experience in finance, legal and other technical expertise. For the sake of accountability, the law does not permit members of the Tender Evaluation Panel to be members of any contract award committee.

Finally, the law also established a Tender Review Board for the Assembly with the responsibility to review procurement decisions within the given thresholds set out in the procurement law, approve or reject a contract submission with reasons. The law

also provides threshold limits for the various entities within which they may have the power to engage in any procurement activity. To this end, all the Metropolitan Assemblies were permitted by law to award contracts for the supply of goods, works and services whose values do not exceed 550,000, 750,000 and 550, 000 Cedis, respectively. Any contract with values above these levels should be referred to the appropriate Regional Tender Committee for approval. Until recently, (in late 2016) the thresholds were much lower, just about 100.000 Cedis, above which the process must be referred to the Regional Coordinating Council.

Despite the existence of these structures which were meant to ensure a fair, accountable and transparent process, the Assembly members could not vouch for the effectiveness of the procurement structures listed above. For example, the law prescribes five different procurement methods through which the Assembly may engage a service provider. These are International Competitive Tendering, National Competitive Tendering, Two stage Tendering (National/International) and Restricted Tendering (National /International). The rest are Single Source Tendering, Direct Procurement and Request for Quotations. According to management, the Assembly often used the Competitive Tendering method for the award of contracts, whose process include the placement of advertisements in the national dailies for qualified bidders to apply. The bidder with the lowest quotation in terms of price, who also demonstrates sufficient capability and experience is often awarded the contract. While the above procedure reflects the requirements of the procurement law, information provided by the local legislators suggested that what actually happens in the Assembly regarding the implementation of the procurement law fell far below expectations. The procurement structures and processes were described severally as not active, not transparent, not fair to all service providers and prone to manipulation by the Executive. Examples were

cited of many instances of procurement of goods and services that were often made for, and on behalf of the Assembly by central government officials without any involvement of the Assembly, although the cost of those projects still fell within the ceiling for which the Assemblies were permitted by law to handle. Such projects did not often go through any procurement process to ensure value for money. The cost of such projects and services were very high and were also deducted at source from the Assemblies' Common Fund with some involvement of the Ministry of Local government and Rural Development and the Common Fund Secretariat. Examples of such projects included construction of basic school blocks by the Ghana Education Trust Fund (GETFUND) Secretariat from Accra, Projects by the Youth Employment Secretariat, Refuse and Sanitation Management Equipment from ZOOMLION, the Ghana School Feeding Programme, and clinical equipment among others. Still other examples cited were that though the Urban Roads Department was fully decentralized since 2015, road contracts were still awarded for construction of projects and not even the officials of Urban Roads Department of the Assemblies were aware of, much less the Assembly. These problems came up as very disturbing for even the Executive branch of the Assemblies, but they claimed that there was nothing that they could do about them since the MCE was a political appointee of government who could do very little about the problem. In the nutshell, Assembly members were of the opinion that the procurement structures were not operational, that most of the contract awarding procedures of the Assembly were far from being transparent, and did not provide equal and fair opportunity to all prospective contractors and service providers. They asserted that the current procurement processes were often manipulated to favour party associated contractors and service providers most of whom did not meet the legal requirements to qualify for contracts.

6.7.2 Discretion over Procurement Management by the Yilo Krobo Municipal Assembly

ii) As with the other Assemblies, **the Yilo Krobo** Municipal Assembly was empowered by the Local Government Act, 1993(462) and the Public Procurement Act, 2003 (663) to carry out its own procurement processes through its Tender Board and other related structures. The Assembly is constituted as a Procurement Entity, in accordance with law, having the legal and administrative mandate to engage in procurement processes. The Assembly also had a Procurement Unit which is an outfit within the procurement entity having the responsibility to coordinate all procurement activities of the Assembly. The Municipal Chief Executive served as head of the procurement entity. In accordance with the law, he is also charged with the responsibility of ensuring that the provisions of the procurement law were followed. The same also served as Chairman of the Tender Review Board, and also signed contracts on behalf of the entity and also has power to modify or reject a contract submission with reasons. The MCE was also accountable for any actions taken within the entity with respect to procurement.

Other members of the Metropolitan Entity Committee were the Director of Finance, the Legal Officer of the Assembly, Chairpersons of the Works and Finance and Administration Sub- Committees, two heads of departments (one of whom must be the user department of the works, service or goods to be procured), the Municipal Budget Officer and the Coordinating Director. The Assembly also had in place Entity Tender Committee that was responsible for review and approval of the annual procurement plans. The same also had power to approve contract and may also reject same. Besides, there is also a five-member ad hoc Tender Evaluation Panel whose duty included making recommendations for the award of contract, and was made up of persons with training and experience in finance, legal and other technical expertise. For the sake of accountability, the law does not permit members of the Tender Evaluation Panel to be

members of any contract award committee. Finally, the law also established a Tender Review Board for the Assembly with the responsibility to review procurement decisions within the given thresholds set out in the procurement law, approve or reject a contract submission with reasons. The law also provided threshold limits for the various entities within which they had the power to engage in any procurement activity. The Municipal Assembly could only award contracts for the supply of goods, works and services with values not exceeding GH550,000, 750,000 and 550, 000 Cedis, respectively. Any contract that had values above these levels had to be referred to the appropriate Regional Tender Committee for approval. Until recently, in late 2016, the thresholds were much lower, just about Gh100.000 cedis, above which the process must be referred to the Regional Coordinating Council.

In narrating their experience with the procurement processes of the Assembly, however, the Assembly members were of the view that although the above structures and processes were specified by law, they did not reflect what actually happened at the Assembly with respect to procurement. This according to them was because they as Assembly Members hardly knew about how contracts were awarded at the Assembly by management. Instances were provided for cases where members did not have information about contracts that were awarded for execution within their own electoral areas. They were of the view that almost all contracts were awarded by the MCE and other high ranking Executive members, that, they had no evidence to believe that any of the other procurement structures could be described as being active. The procurement structures and processes were described severally as not active, not transparent, not fair to all service providers and prone to manipulation by the Executive. Examples were cited of many instances of procurement of goods and services that were often made for, and on behalf of the Assembly by central government officials without any involvement

of the Assembly although the cost of those projects still fell within the ceiling for which the Assembly was permitted by law to handle. Such projects often did not go through any procurement process to ensure value for money. The cost of such projects and services were very high and were also deducted at source from the Assembly's Common Fund with the connivance of the Ministry of Local government and Rural Development and the Common Fund Secretariat. Such projects included construction of basic school blocks by the Ghana Education Trust Fund (GETFUND) Secretariat from Accra, Projects by the Youth Employment Secretariat, Refuse and Sanitation Management Equipment from ZOOMLION, the Ghana School Feeding Programme, and clinical equipment among others. Still other examples cited were that though the Urban Roads Department was fully decentralized since 2015, road contracts were still awarded for construction in the Metropolis that not even the officials of Urban Roads Department of the Assembly were aware of, much less the Assembly. These problems came up as a very disturbing one for even the Executive branch of the Assembly, but they claimed that there was nothing that they could do about it since the MCE was a political appointee of government hence he could not challenge any decision of the President whom he represented. Using the same argument, the MCE attested that he would give preference to carrying out a decision that would favour both the President and his political party over the interests of the Assembly and the local people.

In the nutshell, one may conclude from the foregoing that instead of the General Assembly taking decisions for the Assembly, for the subsequent implementation of the Executive Committee as required by law, the existing situation is that the most important decisions of the Assembly were taken by the MCE and a few of the other administrators. Implementation, as well as monitoring and evaluation were equally carried out by only the MCE and his other Executives without the involvement of the

Assembly members who were members of the Executive Committee. This situation is very different from the original aims of Ghana's decentralization which sought to transfer decision making from central bureaucrats to local legislators for the purposes of improving local ownership, responsiveness and accountability.

6.7.3 Discretion over Procurement Management by the Gomoa West District Assembly

Like other Assemblies, the Gomoa West District Assembly was also responsible for the overall development of the district. To these end, the Assembly engages in several procurement processes to procure goods and services in accordance with relevant laws. The said procurement processes were guided and regulated by the Local Government Act, 1993, Act 462; Financial Administration Act, 2003, Act 654; Public Financial Management Act, 2016, Act 921, and Public Procurement Act, 2003, Act 663.

For procurement purposes, the Assembly was constituted by law as a Procurement Entity, having the legal and administrative mandate to engage in procurement processes. There also existed a Procurement unit which is an outfit within the procurement entity having the responsibility of coordinating all procurement activities of the Assembly. The District Chief Executive served as head of the procurement entity. He is also charged with the responsibility of ensuring that the provisions of the procurement law were followed. The same also served as Chairman of the Tender Review Board, and also signed contracts on behalf of the Assembly, the Tender entity, and also has power to modify or reject a contract submission with reasons. The DCE was also accountable for any actions taken within the entity with respect to procurement.

As in the case of the other Assemblies, other members of the District Entity Committee included the Director of Finance, a Legal Officer appointed by the Assembly, Chairpersons of the Works and Finance and Administration Sub-Committees, two

heads of departments (one of whom must be the user department of the works, service or goods to be procured), the District Budget Officer and the Coordinating Director. The Assembly also had in place Entity Tender Committee that was responsible for review and approval of the annual procurement plans. The same also had power to approve contract and may also reject same. Besides, there is also a five-member ad hoc Tender Evaluation Panel whose duty included making recommends for the award of contract, and was made up of persons with training and experience in Finance, legal and other technical expertise. For the sake of accountability, the law does not permit members of the tender evaluation Panel to be members of any contract award committee. Finally, the law also established a Tender Review Board for the Assembly with the responsibility to review procurement decisions within the given thresholds set out in the procurement law and also approve or reject a contract submission with reasons. The law also provided threshold limits for the various entities within which they had the power to engage in any procurement activity. As in the other Assemblies, the Assembly could only award contracts for the supply of goods, works and services with values not exceeding Gh550,000, 750,000 and 550, 000 cedis respectively. Any contract that had values above the stated levels had be referred to the appropriate Regional Tender Committee for approval. Until recently, in late 2016, the thresholds were much lower, just about 100.000 Cedis, above which the process must be referred to the Regional Coordinating Council.

Notwithstanding these procurement arrangements, the study found that most of the Assembly members did neither know how projects were awarded on contract, nor other services were procured. Although some of them occasionally saw advertisements of the Assembly in some of the national dailies, they knew very little about how the contracts were finally awarded. They believed that the contracts were awarded by the District

Chief Executive and a few other members of the executive, since, in their opinion, the procurement structures were not permitted to operate in accordance with the law. Again, the executive never reported to them about the basis of awarding contract to specific service providers, neither did the Executive disclose to them the cost of projects and services procured by the Assembly. Some Assembly members even asserted that they were not aware of how some contracts that were meant for their communities were awarded. Besides, they were often told not to 'interfere' in the work of contractors in anyway. This meant that contractors were not obliged to recognize them even for the purpose of receiving feedback from the local legislators.

Here too, the study established that some Central Government Ministries, Departments and agencies procured goods and services for and on behalf of the Assembly. The ministries and departments involved in this practice as was the case in the other Assemblies were the Ministry of Local Government and Rural Development, the Ministry of Gender and Children Protection, the Ministry of Education, the National Association of Local Authorities of Ghana (NALAG). Others agencies included the National Disaster Management Organization (NADMO) and the Youth Employment Programme. Some of the items that were often procured for the Assembly included sanitation and refuse collection trucks and equipment, electricity poles, bulbs and other equipment, refuse bins and computers. Contracts were also awarded from the national level for the Assembly. These covered contracts for refuse collection, cooking for school children under the Ghana School Feeding Programme, and school blocks among others. All such projects were awarded without the involvement of the Assembly, but the costs were deducted at source from the Assembly's share of the District Assemblies Common Fund, which in most cases left only small balances in the accounts of the Assembly. It was noted as well that the costs of such centrally procured goods and

services were unusually very high, and most of the equipment lacked warranties, neither were there any agreement for post-delivery servicing of the equipment. This is viewed to represent a major defeat of the argument by proponents of centrally managed procurements who argue for such practices on the grounds that they could lead to cheaper costs as a result of economies of scale resulting from bulk purchases. One may conclude, on the basis of the foregoing, that although the Assembly was empowered by law to carry out the procurement of goods and services within given contract values, central government bodies has usurped this power, making procurements for, and on behalf of the Assembly usually at very high costs on the accounts of the Assembly.

6.8 General Findings on the State of the Sub-Structures of the MMDAs

The Sub-Structures of the Assemblies are made up of the sub-metropolitan District Councils, Town, Area, Urban and Zonal Councils and Unit Committees. The Studies established that all the sub-structures within all the Assemblies were generally not operational. With the exception of the Tema Metropolitan Assembly where two of the three sub metropolitan District Councils were found to be operational, all the other sub-structures in the two other Assemblies were not operational. Even in the case of TMA only one Sub-Metropolitan District Council had an office, while none of the expected Town Councils existed. Also, none of the substructures, including the Sub Metropolitan District Councils, were found to be performing any of the functions that were stipulated for them by law. Also, all the Assemblies were found to have defaulted in ceding back 50% of Internally generated funds to the Town, Urban and Area Councils except the TMA which was also found to give an amount far less than the legally stipulated 50%. With respect to the Unit Committees, all of them within both the Metropolitan, Municipal and District Assemblies were largely dysfunctional as they did neither engage in any activities as required by law nor did they even hold meetings. As

structures created to broaden community participation in decision making, the current state of the Assemblies' substructures do not make it possible for the local people to participate in decision making, thus undermining the one of the core aims of Ghana's decentralization.

6.8.1 The State of the Sub-Structures of the TMA

The Sub-structures of Metropolitan District Councils are unique to Metropolitan Assemblies in Ghana. They are decentralized sub units that come immediately below the Metropolitan Assembly and exist to bring governance closer to the people than the Metropolitan Assembly itself. Three sub-metropolitan District Councils exist within the Tema Metropolitan Assembly, namely Tema Central, Tema East and Tema West Sub-metros. Of the three listed above, only Tema East and Tema West Sub-Metros are currently functional and operating. The Tema Central Sub-Metro has still not been constituted and therefore not in existence. Officials cited financial needs as the main reason for the late take-off of this Sub- Metro.

The Tema West Sub-Metro currently has a membership of thirty (30) Councillors, out of which eleven (11) were appointed while the rest were elected. On the other hand, Tema East Sub-Metro has twenty -nine members, out of which eleven were appointed while the rest were elected. The two Councils organize bi- monthly meetings to transact business. They are all serviced by full time staff of the Ministry of Local Government and Rural Development who currently operate from a temporary wooden structure. They submit periodic reports to the Assembly; assist in the collection of revenue for the Metropolitan Assembly but both did not have their own short and medium term development plans as the law demands. Officials asserted that their plan was contained in the Medium Term Development Plan of the Assembly, though one may not find any such plan in the Assembly's MTDP. At the time of data collection, there was no power

supply to the make-shift offices inhabited by Tema East because the researcher was told that the Electricity Company of Ghana (ECG) had disconnected power supply because the Council had failed to pay for power already consumed for a very long time. In explaining why they could not deliver much in accordance with their mandate, members claimed that the Metropolitan Assembly had failed to allow them to function as required by law since they would not involve them in any decisions that even affected their areas of jurisdiction. For example, the Assembly awarded projects for implementation in their areas without providing Councils with any information. Neither did Council members have the power to approach the Contractors for any information. The relationship that Councils may have with the Assembly, they claimed, could be determined largely by the personalities of the Metropolitan Coordinating Director at post, but not in accordance with laid down procedure. Finance was found to be one of the major problems facing the Sub-Metros. They received nothing prior to 2014 although the law provided that they received back 50% of revenues collected by them from their areas of jurisdiction. Since then they received 50% of revenues collected by them or collected by the Assembly as ceded revenue. Even this, the Assembly paid it back in trickles thus rendering it very insignificant for use for any meaningful project. Even for this little money given them by the Assembly, they could not do anything on their own without seeking authorization from the Executive arm of the Assembly. The 50% ceded revenue was inadequate since the Assembly permitted them to collect revenue from only a few low yielding revenue sources including market tolls, leaving the most rewarding sources for the Assembly to collect.

At an ordinary meeting called by the Tema East Sub- metro which was also attended by the researcher, it was revealed that the Council received its first ever ceded revenue

from the Assembly in 2014, and the total amount was Gh 64,000 while it received Gh 95,000 in 2015. Deductions were however to be made from these amounts to take care of cost of collections of the revenue owed to revenue collectors, Cost of travels by administrators and councillors as well as office supplies. Councillors found it hard to understand why the Assembly would not reimburse them first the cost of collections before it gave them the 50% ceded revenue. Members intimated that although the Assembly was required to disburse 2% of the DACF accruals for the upkeep of the Sub-structures that has still not happened. Lamenting on the situation facing the councillors, one of the chairmen was head saying:

'I don't really know whether our decentralization is just paperwork or something serious'.

Considering the foregoing situation currently faced by Sub-Metropolitan District Councils in the Metropolis, one may wish to emphasize that the Metropolitan Assembly may need to do more in order to make the Sub-Metro's active and also empower them to perform their functions as required by law. Among others, the Assembly should take the necessary steps to provide decent and well equipped office infrastructure for the Tema West Sub-Metro; release the mandated funds to the Sub-Metros and also revise the current revenue collection arrangement (if any) with the latter to enable them collect and also gain more revenue to take care of their activities.



Figure 6. 1 Office of the Tema East Sub-Metropolitan District Council

Empowering the Sub-Metros to enable them perform their assigned functions must receive the necessary attention from the Assembly since such capabilities on the part of substructures will be beneficial for the Assembly itself by making the ordinary citizen see and also feel the impact of decentralized governance. Finally, there is also the urgent need for the law to clarify the position, role and functions of the Sub-Metros. It is interesting to know that none of the relevant laws including the Local Government Act, 1993, Act 462 and the Local Government (Urban, Zonal, and Town Councils and Unit Committees) Establishment Instrument (L.I 1967) even mentions the Sub-Metropolitan District Councils, let alone to assign them any role that is commensurate with their position. In the midst of this problem, they have been 'forced' to operate like Area, Town and Urban Councils in terms of status, functions, responsibilities and privileges.

The Town Councils constitute the third tier of the four tier decentralized system that come immediately below the Sub-Metropolitan District Councils within the Metropolitan Assemblies. Also operating below the Town Councils are the Unit Committees. However, the researcher did not find in existence any Town Council within the Metropolitan Assembly. Discussions carried out by the researcher with key stakeholders indicated that no Town Council existed within the Metropolis. Within the Metropolis, the Unit Committee is found at the bottom of the decentralized structure, and is the closest to the people. They were made up of five non-paid members who were duly elected by the people through universal adult suffrage. Their functions, as stated in policy, include supervision of the staff who come to perform duties in the area; assist in revenue collection; educate people on their rights, privileges, obligations and responsibilities. They also have the mandate to monitor the implementation of self-help and development projects as well as make proposals to the Assembly regarding levying and collection of rates for projects and programmes. The studies, however, revealed that the Unit Committees were generally not active. Some of them did not have all the five members required by law; there were no activities on their part regarding the performance of their mandated functions, neither did they even hold meetings to deliberate on matters affecting their areas. The only few times they ever met were when the Assembly Member calls them for a meeting, although the Assembly Member is by law not a member of the Unit Committee. Members were generally weak in terms of capacity with little knowledge of their roles and leadership skills. One major implication of the weakness of the Unit Committees is that the grassroots mobilization that is expected to be carried out by them does not take place.

Even in a few places where they demonstrated some activity, the Assembly officials who went on duty in the various unit areas did not get in touch with the unit members

although such a simple act of just meeting them and introducing themselves to each other would have conveyed a big symbolic meaning of respect to the members. Neither did those working for the Assembly in the Unit areas also give any recognition to Committee members. It seems that apart from the Assembly Members who gave some recognition to the Unit members, no other official of the Assembly gave any sort of recognition to them. Under the current circumstances, the Unit Committee Members were made to reinforce their feeling that their roles were not necessary. Besides the fact that it is a non-paid purely voluntary position like those of the Assembly members, this may also explain why people do not often present themselves for the Unit Committee elections to take active part in the process. Since the Unit Committees constitute the closest decentralized institution to the populace, the general lack of activity at this level, coupled with the weak Sub-metros as shown already constitute a great limitation or drawback of the local government system within the Metropolis. It therefore means that for the citizens of the Metropolitan Area, decentralization begins and ends with the District Administration. The 'Assembly', being capable and also having the mandate to empower the sub-structures to be effective seems to find satisfaction in keeping the decentralized power to itself, although it is also unable to reach out to the ordinary resident.

6.8.2 The State of Sub-Structures of the Yilo Krobo Municipal Assembly

The decentralized sub-structures of the Yilo Krobo Municipal Assembly exist to provide opportunities for grassroots participation in decision-making and implementation in accordance with powers delegated to it by the Municipal Assembly. The existing sub-structures within the Municipality are twelve Unit Committees, two Zonal Councils and Five Area Councils. The Zonal Councils are located in Somanya and Nsutapong, which are the most urbanized communities, while the ten other Area

Councils existed in the less urban localities, where a number of smaller communities are constituted together as Area Councils.

The researcher found that the purpose for which these structures were set up was being defeated since almost all of them were mostly inactive on the basis of the functions that the law setting them up prescribed for them. Beginning with the unit committees, it was established that only a few of them had all five members as was expected by law. The others had between two and four members. The shortfall of membership for some of the Unit Committees was because people did show interest in contesting for the positions during the last local government elections that was organized by the Electoral Commission. It was also suggested that the position did neither attract any salary nor allowances, besides the fact that members were not accorded any respect by anybody including even the very Assembly that created them since Assembly officials visiting their communities for any purpose failed to work with them.

It was also found that only a few Unit Committees held any meeting in the last six months to the time of interacting with the researcher, but even here the Meetings were often called by the Assembly member to enable them discuss pertinent issues affecting the community. Others had not held any meeting since they did not have Chairpersons nor Secretaries. Even for those that had meetings before, they did not have minutes' books to keep record of proceedings of their meetings as well as the kind of items discussed. The unavailability of minutes for meetings was the result of the fact that most of the members lacked the knowledge of writing nor taking down even simple notes for later referencing.

Regarding the performance of their functions as spelt out in the relevant laws, the few Unit Committees that carried out some activities focused on organizing communal labour to clean the environment as well as arresting stray animals and imposition of

fines on their owners. These were always done with the strong involvement of the Assembly Member who initiated such activities in some cases. In the face of the general weakness of the Unit Committees the Assembly Members had to step in to perform most of the functions required of the Unit committees, which included the mobilization of people for communal labour. Again, none of the Unit Committees was aware that the law made them responsible for the registration of births and deaths in their areas; neither have they ever participated in the enumeration of rateable persons and properties, nor kept the record of same as was required by Legislative Instrument 1967. The Unit Committees also did not supervise the staff of the Assembly nor other persons on duty for the Assembly in their Areas. This is particularly a responsibility that they described as very difficult for them to do since the Assembly officials never accorded them respect as part of the Assembly structures. They asked how they could supervise officials of the Assembly since even the Assembly Members in their areas could not do that because the officials would not accord them such respect.

Regarding why Unit Committee members fell so low in the performance of their duties, the researcher found that members were neither informed nor did they receive any training whatsoever about their specific role within the local government system. The members complained that the Assembly did not provide them with any training nor information regarding their role. This made it difficult for them to perform any function within the community. Coupled with the general disrespect accorded them by staff and contractors of the Assembly that visited their communities, one may not find it difficult to understand the low interest of members of the community in the affairs of the Unit Committees, which had resulted in some of the Committees recording as low as two members only, instead of the five.

In between the Unit Committees and the Municipal Assembly, there are eight intermediate decentralized Zonal and Area Councils. They are the Somanya and Nsutapong, Zonal Councils, Nkurakan, Agogo, Oterkpolu, Boti and Obawale Area Councils. The existing Zonal and Area Councils have memberships ranging from seventeen to twenty members although the policy sets the maximum membership limits between ten and fifteen. The members were made up of both elected Assembly members whose areas of authority falls within the Council area and other members chosen from among the Unit Committees in the area as well. The researcher found that all the Zonal and Area Councils were dysfunctional at the time of conducting the studies. Discussions with members revealed that although some of them had Chairpersons none of them had Secretaries who could manage the offices as required by law. With the exception of the Agogo Zonal Council, none of the others had an office from where they could carry out their basic functions. Even in the case of Agogo, the said office did not have the basic office wherewithal such as furniture, secretary nor equipment.

Explaining why the Councils did not have offices and the related basic equipment to work with even though the Assembly was mandated annually to apply a portion of the District Assemblies Common Fund for the purpose, members said that the Assembly never transferred any such funds to them. It was also found that the Assembly has not assigned them the responsibility for the collection of rates and levies.

With the above situation, it was not surprising to find that none of the Councils had performed any of the functions that they were assigned by law. None of them had records of rateable persons and properties in their areas of authority; they never received any financial support from the Assembly; they played very little role in the naming of streets, neither did they organize any annual congresses as the policy had expected.

Furthermore, none of the Zonal and Area Councils had in place any of the Sub-Committees that they were expected to have in place for the performance of their functions, neither had they prepared their Medium Term Development Plan nor did they also have budgets or bank accounts. Under the current circumstances, members were rendered almost impotent to conduct any activity required of them. They put all the blame for their predicament on the Assembly since they said the later did neither provide them with the resources as required by law nor were they offered any relevant training to enable them know and also perform their responsibilities. Council members had asked that they be provided with training and orientation to equip and also make them understand their role for better performance.

6.8.3 The State of the Sub-Structures of the Gomoa West District Assembly

Gomoa West District has a three tier local administrative structure comprising of the District Assembly, one Urban Council, two Town Councils, four Area Councils and one hundred and eighty (180) Unit Committees. The Urban Council is at Apam, the District Capital, while Mumford and Dago host the two urban Councils. All the others including Assin, Ankamu, Eshiem and Dawurampong are Area Councils. Currently, the general condition of all the sub-structures maybe described as neglected and dysfunctional. Firstly, it was observed that only two (Apam Urban Council and Eshiem Area Council) of the seven sub-structures had office accommodation. All the others had no place to serve as office and also for holding of meetings. For those that had offices, there were no furniture to enable meetings to be held at those offices. Also, both the two that had office buildings with all the others did not have clerks, treasurers and typists as they were required to have. Again, it was found that with the exception of three, all of the substructures did not have chairpersons, and secretaries as were required; there were barely any meetings organized by any of them to discuss matters relating to their mandate. None of them was found to be

performing any of the roles assigned to them by the law, and hence the Assembly; neither did they receive any training nor orientation to enable members know their functions. Although the Councils were required to assist the Assembly in the collection of taxes, and also receive ceded revenue from same, the researcher found that none of these was happening. In explaining the current state of the sub-structures, the officials of the Assembly argued that they were unable to generate sufficient funds to pay for the salaries of the three permanent staff of each of the Town and Area Councils as the state was also reluctant to take up that responsibility.

The researcher also found that almost all the Unit Committees were equally dysfunctional and inactive. A large majority of them were found not to be properly constituted as they had less than the five persons that they required to make them properly constituted; most of them did not have chairpersons or secretaries, neither were they inaugurated. Only a few of the Unit Committees had ever called a meeting, and in those cases, the Assembly members were instrumental in summoning those meetings. A few of them that were active were found to have organized communal labour, but not without the support and initiative from the Assembly member. Generally, members of the Unit Committees did not know what functions they were meant to perform, as they were not provided with the required training nor orientation. Although some of the members were found to be very enthusiastic about their role, they also expressed disappointment about their situation, claiming that while the District Assembly had neglected them, and did not also give them any respect. This was because the staff of the Assembly, including revenue collectors failed to contact them any time they came to their communities for the collection of rates and licenses etc.- a function that was to be performed by them.

6.9 General Findings on the State of Accountability at the Assemblies

Accountability by public officials is a sine-qua-non in any democratic system, especially where the process involves the acquisition and use of power by a few

officials for the benefit of the people. Many laws and institutions exist within Ghana's decentralization system that requires both local representatives and executives of the Assemblies to be transparent and accountable to the local public and their representatives as well. To these end, the constitution, among other enactments, provides for the local populace to 'participate effectively' in local governance to make local authorities accountable. Also, Act 462, the Local Government Act, 1993, also requires that the local law makers also brief their constituents on the agenda and decisions of the Assembly both before and after meetings of the Assembly. These processes, it is expected, would provide more opportunity for local representatives to collate the views of their constituents for submission to the Assembly for consideration. While the above law also provides for a four-year term of office for elected Assembly members, after which they may be voted out, the same also make provisions for the electorate to recall or revoke the mandate of elected representative whose performance may be unsatisfactory. Still, opportunity also exists in the law for members of the public to send grievances and complaints against the Assembly as a whole or against individuals within the Assembly to the Public Relations and Complaints Committee that is chaired by the Presiding Member for redress. Furthermore, Assembly members may send questions on any issues that they may require answers to the executive body for their official response during general Assembly Meetings. To assess the state of accountability of local public officials, the researcher carried out an examination of the level of participation of citizens in key decision making processes of the Assembly, transparency of the procurement processes, auditing practices and the role of citizen groups and individuals in demanding the accountability of local Municipal officials.

Generally, the researcher found that neither the Executive bodies of the Assembly nor the Assembly members acted in way that suggested that they were accountable to the

electorate. Firstly, the level of participation of residents in decision-making was found to be below as already indicated above, and further indicated in the non-functioning of the sub-structures of the Assembly that could have provided a major platform for the people to participate in governance. Also, the Public Relations and Complaints Committees of the Assemblies were found to be largely inactive mainly because the public were unaware about its existence as well as its purpose. In a few instances that issues were sent to the Committee, it was found that most of the complainants were Assembly members themselves. The other members of the public did not have any knowledge of the existence of the Committee and also the functions that it is meant to perform.

Furthermore, the executive branch of the Assemblies did not make available audit reports to the various General Assemblies for deliberations as was required by law. It was also found that since the internal auditors were staff of the Assemblies and they depended on the administration for resources before they could operate, their independence were severely curtailed. The audit officers believed that making them less dependent on the Executive for resources to carry out their assignment could make them more effective to express much better audit opinions. Overall, the findings show that the Assemblies needed to do more work to realize the goals of accountability and transparency. Although these findings partly contravene those of Crawford's (2009) study of Ghana, especially with respect to citizen's participation, it nonetheless supports his findings on local accountability by observing among others that:

'On the one hand, relatively high levels of participation in local democratic processes are indicated. On the other hand, accountability mechanisms have not been strengthened, with a number of limitations and shortcomings identified at the local level that undermine citizens' attempts to hold local government and their elected representatives to account'.

6.9.1 Participation in Decision-Making at the Three Case Studies

At the **Tema Metropolitan** Assembly the researcher found that despite the provisions meant to ensure that both Assembly members and officials would be accountable to the electorate and local representatives, findings made by the researcher indicate that the Tema Metropolitan Assembly in general falls far short of the standards prescribed by law in terms of citizens' participation, transparency and accountability.

Firstly, the inactivity of the sub-structures including the unit Committees and Town Councils, as well as the weak position of the Sub-Metropolitan District Councils as described above have made it practically impossible for the people to participate in governance in the manner prescribed by the Constitution. These structures would have provided the space for residents to mobilize themselves at the community level to take decisions, plan and execute activities relevant to their needs especially in the case of the Sub-Metros and Town Councils. The Assembly, however, organizes some Town Hall Meetings, Community Needs Assessment Workshops and Fee Fixing Resolution Sessions for the purpose of providing information to various opinion leaders of some sections of the public, to receive feedback from same and fix levels of fees and rates to be paid by affected persons. These notwithstanding, Assembly members and some of the other participants who had participated in these meetings, including the leadership of the Ghana Private Road Transport Union (GPRTU), were of the view that the Assembly scarcely accepted any suggestions coming from them. They claim that at best the Assembly only met them occasionally to provide them with information concerning decisions that they had already taken, but not to take suggestion from them.

The researcher also found that the *Questions Time* provided by law as a mechanism to ensure that Assembly Members have opportunity to get explanations from the Executives has also proved to be ineffective. Although Assembly Members knew about it and do send questions to demand answers from the Executive, members were most

often not satisfied with answers provided. Such responses were often very brief with no opportunity for the questioner to make follow up questions. On the need for Assembly members to meet with their constituents before and after each Assembly meeting for briefing and debriefings, the researcher found that some Assembly members met occasionally with their constituents to debrief them after some of the Assembly meetings. It was also found that the continuity and frequency of the occasional meetings were threatened by the expectations by participants to be provided with 'item 13', that is, providing participants with food and drinks during such meetings. It is however worthy of note that the Tema Metropolitan Assembly provides Assembly members with some small amount of money (termed 'mobilization') meant to assist in taking care of such costs. The requirement that local legislators also meet their constituents to discuss the agenda meant for discussion at upcoming Assembly Meetings and also take the views of the public from such meetings to the Assembly was generally not adhered to. Besides cost, the Assembly members also thought that one may not be in the position to know details of items on the agenda to enable them properly brief their constituents until after the meeting was held.

i) Participation of Citizens in Governance at Yilo Krobo Municipal Assembly

The 1992 Republican Constitution of Ghana identified the participation of local residents as one of the critical paths to achieving accountability of local executives. It states among others:

“to ensure the accountability of local government authorities, people in particular local government areas shall, as far as practicable be, be afforded the opportunity to participate effectively in their governance” (article 240, clause 2 e).

Contrary to these provisions, the researcher found no evidence of participation of citizens in the governance of the Yilo Krobo Municipal Assembly. The only process of the Assembly that some citizens were regularly involved, according to the Assembly

members and members of the sub-structures, was the fee fixing resolution session where the officials brought together representatives of traders within the municipality to discuss proposed levels and items of taxes, licenses and other rates for the coming financial year.

For example, it was found that the Public Relations and Complaints Committee (PRCC) of the Assembly was not active as a result of the fact that citizens did not know about the existence and work of the Committee beyond the Assembly Members. Among other functions, the PRCC, chaired by the Presiding Member of the Assembly, was meant to provide a platform for the acceptance of complaints against the officials and other members of the Assembly. The Committee could not recall that it held any meeting for the past one year, neither did it receive any complaint from any member of the public for a very long time now. In the absence of any activity on the part of the Committee, the researcher went further to know whether the Assembly has other mechanisms in place for the engagement of the public in decision-making. But it again became clear that no such other mechanism for the participation of the public existed. In the midst of the low level of awareness of the general public regarding the existence and functions of the PRCC, as well as the absence of any other mechanism of the Assembly for the engagement of the public in decision – making, the public may find it difficult to find any other means to make officials accountable.

Another means provided by law to facilitate the participation of citizens in the local government system was the provisions that Assembly members organized meetings to brief the public about the agenda to be discussed at the meetings of the Assembly as well as to debrief the same after meetings of the Assembly. The study again found that a large majority of the Assembly members were either not observing the provision completely, or observed it as and when they found it necessary and convenient. On the

inability on the part of Assembly Members to organize such meetings, they complained of the general low attendance during such meetings, the cost involved in organizing the meetings and the fact that not all meetings of the Assembly produced much information worth sharing with the electorate. While admitting that their meetings with the electorate were generally insufficient, they equally were of the opinion that it was not practically possible to call the electorate to meetings just to inform them about the agenda of the meetings of the Assembly. The general low attendance recorded at such meetings also discouraged the Assembly Members from increasing the frequency of such meetings.

With regards to development planning, although the National Development Planning System Act, of 1994 provided for public participation through consultations and Public Hearings of the Proposed Medium Term Development Plan at various Zonal and Area Council levels, the studies established that there was barely no participation of the public in the preparation of the last medium term development plan. It was equally observed that beyond the fee fixing resolution, the public or any of their community based organizations hardly participated in the preparation of the District Budget. In reacting to this concerns, some of the Municipal Administrators raised a number of constraints ranging from inadequacy of time, financial constraints and lack of interest on the part of the public. Some of them, however, argued that with the presence of the representatives of the Communities in the Assembly, the need for the participation of the larger public was quite minimal. Considering the fact that the local representatives themselves have raised numerous complaints suggesting that the administrators do not consult them much nor take into consideration their suggestions and preferences, one may find it difficult to accept the argument that the participation of the legislators was enough to meet the requirements of public participation. It is also worthy of note that

the need to consult and also make public presentations of the Medium Term Development Plan is a requirement provided for by law.

ii) Participation of Citizens in Governance in Gomoa West District Assembly

Overall, the study found that the participation of citizens in the decisions of the Assembly was minimal, if not completely absent. Firstly, members of the Unit Committees and Town and Area Councils denied that the Assembly ever consulted them nor offered them opportunity to participate or express their opinion in decisions of the Assembly. They complained that they were not even contacted by officials of the Assembly whenever they visited their communities. Neither were they introduced to contractors who were assigned by the Assembly to work on projects in their communities.

For planning and budgeting, both the Assembly and Council members explained that on a few occasions, the Assembly organized meetings, called stakeholders forum, within some selected communities to present the District Medium Term Development Plans to some selected members of the public. Although Assembly officials organized such meetings for the purpose of collating the views and feedback from the local people, the other members were, however, of the view that the officials only presented a summary of what they were about to do without offering them genuine opportunity to make suggestions for a review of what the administrators had presented. It was revealed also that only a few people trusted that their suggestions would be given any serious consideration by the administrators, therefore only a few people would even care to attend such meetings.

The Public Relations and Complaints Committee under the Chairmanship of the Presiding Member was a body that existed to provide avenues for the public to send their grievances and complaints against actions and/ or inactions of the Assembly as a

whole or any of its officials for redress. But the committee was found to be inactive because people were unaware about its work nor existence. Others also were of the opinion that people did not have confidence in any of the institutions of the Assembly, therefore they never saw it necessary to take any complaint to the Committee. It was generally held by the Assembly and council members that the attitude of staff of the Assembly did not encourage them to go to them to discuss issues with them about their communities since besides wasting so much time before one may see an officer, they would often not do anything about it with the excuse that the Assembly did not have money.

One important provision in the law for the participation of the people in the local government system was the requirement that the thirty percent of the members of the Assembly be appointed by the President with prior consultation of the traditional authority and other organized interest groups. The study, however, revealed that, the appointment of the appointees was often made by the Constituency Executives of the ruling party, and all the appointees were known members of the ruling party. This practice was found to be one of the factors responsible for the politicization of the Assembly which was by law a non-partisan institution.

6.9.2 Transparency and Accountability of the Auditing Processes of the Assemblies

For auditing purposes, the Tema Metropolitan Assembly has an Internal Auditing unit that is staffed with eight staff that carries out quarterly auditing of the financial activities of the Assembly and all other decentralized departments. Besides, external auditors from the Auditor General's Department also annually audit the financial activities of Assembly. Three types of audit that is often carried out by the auditing bodies included financial auditing, risk assessment auditing and compliance auditing. The Assembly also has a Local Government Inspectorate Unit that is charged with the mandate of

providing monthly analysis of the trial balances of the Assembly. They were also required to write reports of their findings for submission to the Regional Coordinating Council. Also, in accordance with the law, the Assembly has the Audit Report Implementation Committee (ARIC) which has the main role of seeing to the implementation of the recommendations made by the external auditors. Members of the ARIC included the Presiding Member who is also the Chair of the Committee, the Metropolitan Chief Executive, the Metropolitan Coordinating Director, the Metropolitan Finance Officer and the Chairperson of Finance and Administration Sub-Committee. The rest were an external auditor who is a co-opted member, the Internal Auditor and an Assistant Director who serves as recorder. The Internal Audit Unit provides copies of its reports every quarter to the MCE, the Presiding Member and the Regional Coordinating Council. Some aspects of the report, mostly brief summaries of the Auditor's opinion (without details) were often sent to the Finance and Administration Sub-Committee and also the Authority (Executive Committee) which is chaired by the MCE.

Notwithstanding the existence of these audit structures, findings indicate that they operate in such a way that fall below the standards expected by law. As far as the Assembly members were concerned, the executives were not being transparent and accountable to the Assembly on audit matters, let alone to the public. For example, though the law required that the Audit report and findings be disseminated to the Assembly through the Presiding Member, the Presiding Member never did that although he was always being provided with the copies. The denial of such critical information to the General Assembly by the PM defeats the wisdom inherent in the law making him the main recipient of the Audit report as both Chair of the General Assembly and also the ARIC. This is to enable the General Assembly have access to

the report for discussion and appropriate action where necessary. In a situation where this is denied the Assembly members, they were not only being kept ignorant about how the financial resources of the Assembly were being used, but also, they were thus prevented from exercising financial oversight of the administration. They were thus also prevented from holding the executive accountable for their use of the financial resources of the Assembly.

But one may want to know why the Presiding member did not forward that information to Assembly members. The reason is to prevent Assembly Members from getting access to information that may be considered incriminating against the Executive arm of the Assembly and even the government. This could also be one of the reasons why a lot of efforts were often made by the political structures to ensure that the Presiding Member is someone who supports the ruling government. On the implementation of the recommendations of both the internal and external auditors, the respondents expressed dissatisfaction with the half- hearted way in which the audit recommendations were implemented. They asserted that most of the issues raised were concerned with actions of politicians who held power and hence unless they were willing to act lawfully, no other person, either than the government, was in the position to do anything.

Furthermore, the Internal Audit Unit of the Assembly also finds itself in a difficult position to provide a full report of its findings to the management of the Assembly. They claim that in a situation where the auditee (the Assembly) is also the one that provides them office and other resources to enable them carry out their activities, they found it difficult to report all their findings, especially the incriminating ones, to Management since the latter may get angry and could deny them necessary resources for their work. On a few occasions where they tried to do that, they were invited by

management for questioning and were prevailed upon to remove any such information from the report. They therefore often had to understate their true findings to make them much less victimizing of the Executive. It was suggested that making them independent of the Executive by, for example, relocating them and also financing them through a means outside of the Assembly could be most helpful to make them do their work in the interest of the people rather than to serve the whims and caprices of the executive.

The local government Inspectorate also had experiences similar to those of the Audit unit not. They were scarcely given copies of the Assembly's trial balances to examine. On the few occasions that they had copies, following which they wrote their reports, they were called by the Executive for rebuke for including certain findings in the reports which were considered to be damning for the Executive. One officer of the unit commented as follows:

'We have been instructed by management never to send any report to the RCC without showing it to them first'.

The Unit also felt that they had no independence to do the job required of them, and that making them independent by relocating their office away from the premises of the Assembly as well as getting their funds from an independent source would be most helpful.

On the need for the Assembly to publish its annual statements of accounts as well as the Auditors reports annually, the researcher found that these also did not take place except for the quarterly records of Internally Generated Funds (IGF) that is often posted on the notice board. In the current circumstances as described above, Assembly members were not only kept in the dark as to how the financial resources of the Assembly were managed, but also, the state of financial governance described above could not be described as transparent to the local legislators and members of the public.

i) Transparency and Accountability in the Auditing Processes of the Yilo Krobo

For the purposes of auditing, the Municipal Assembly has in place institutions such as the Internal Audit Unit and the Audit Report Implementation Committee (ARIC) and laws including the Local Government Acts among others. The Internal Auditing Unit of the Assembly carries out periodic quarterly auditing of all departments of the Assembly. Besides, external auditors made up of staff of the Ghana Audit Service also conducts their own periodic auditing of the entire Assembly. A copy of the reports from both audits were submitted to the Presiding Member, the MCE and the Regional Coordinating Council. As required by law, there was also in existence an Audit Report Implementation Committee (ARIC) which by law exists to implement the recommendations provided by the auditors. Members of the ARIC included the Municipal Chief Executive, the Internal Auditor, the Municipal Coordinating Director, the Presiding Member, Chairman of the Finance and Administration Subcommittee and one other professional auditor outside of the Assembly.

The researcher found that the Assembly's internal audit unit carried out quarterly auditing of the Assembly, even though according, the cooperation of the later for auditing purposes still was not sufficient. Copies of the reports were also served to the Presiding Member of the Assembly, the Municipal Chief Executive and the Regional Coordinating Council. There was also periodic auditing carried out by external auditors which report was also distributed to the same recipients. The Assembly did not , however, publish the audit reports as the law required. Management, instead published summaries of some aspects of its financial information on its notice board, but it was observed that these were often made up of the quarterly receipts from the internally generated funds without any details of expenditure. The record was found to contain

very little information that could not inform anyone about how the financial resources of the Assembly was actually being used. But indications were that even majority of Assembly Members did not know about this publication and scarcely did any member of the public know about it too. These notwithstanding, it was revealed that copies of the Audit report and other financial reports were not made available to the local legislators. This was contrary to the provisions of local government Act 462(1993) which states that:

‘The district Assembly or any other local government body concerned shall take the report into consideration at its next ordinary meeting as soon as practicable after the audit’.

In spite of the fact that a copy of the report was also given to the Presiding Member he was unable to table it at the General Assembly since he said that was the responsibility of management. While the auditors’ reports always come with relevant recommendations to improve financial discipline, the Assembly members held that the recommendations offered were never respected by management nor were they acted upon. This fact is also an indication that the Audit Report Implementation Committee might also be inactive just like most of the other institutions of the Assembly. The result is that the numerous audits carried out have only become an annual ritual without producing any observable improvement in the financial discipline of the Assembly.

By persistently and successfully keeping the audit reports from the binoculars of the Assembly members, the executive branch of the Assembly has not only succeeded in keeping the Assembly members ignorant of what was actually happening to the peoples’ resources but also, they have nibed in the bud one of the major means by which the Executive could be held accountable for possible questionable actions related to the finances of the Assembly. These together with other such actions had resulted in high

levels of mistrust for the executive and a feeling of disappointment on the part of Assembly Members.

ii. Transparency and Accountability of the Auditing Processes of the Gomoa West District Assembly

As required by law, the financial transactions and other activities of the Assembly were audited each quarter by the Internal Audit Unit and also annually by the Auditor General's Department. Types of Audit that is often carried out within the Assembly include Cash Management, Procurement audit, Payroll audit, Inventory and Performance audit. Others included fuel audit and Fixed Assets audits. Still in accordance with the provisions of the law, copies of the audit reports were also given to the Presiding Member, who also served as Chairman of the audit report Implementation Committee (ARIC), the District Coordinating Director, District Chief Executive, the Regional Minister, the Auditor General and the Ministry of Local Government and Rural Development. The Assembly also had in place the Audit Report Implementation Committee with the Presiding Member as Chairman. The Committee was mandated by law to ensure that all recommendations made by the auditors based on their observations were fully implemented. It was also observed that a copy of the Auditor's observations letter was pasted on the Notice Board of the Assembly. This was also meant to fulfil the requirement of the law aimed at providing the public with some insights into the use of public finances by the Assembly.

These notwithstanding, it was observed that the Assembly scarcely implemented the recommendations made by the Auditors regarding the misuse of public funds. It was noted that although almost the same recommendations were made year after year, there was no observable improvement in the way that funds were used by officials of the Assembly. It was further revealed that in spite of the numerous questionable acts that

were often contained in the reports no official of the Assembly was ever punished for any of those acts.

Furthermore, it was found that contrary to the provisions in the local government act, Act 462, that ‘the District Assembly shall take the auditor’s report into consideration at its next ordinary meeting’, the Assembly was found never to have done that. By keeping the auditor’s report from the scrutiny of local legislators, the latter were not only kept in the dark concerning how funds meant for development were being used by the Executive, but also, they were prevented from exercising oversight responsibility over the executive for the purpose of ensuring financial responsibility. Although the Presiding Member was given a copy of the report by law, he was still unable to table it for consideration by the house. Although Assembly members were generally critical and disappointed about the lack of transparency on the part of the administration, it was also revealed that majority of them were not conversant with the relevant laws and the standing orders of the Assembly which they could use to argue to get the executive work with the rules of the house. While a few of them knew some of the laws, they argued that partisan considerations prevented them from insisting on the need for administration to comply with the rules. It was noted that while those members who were alleged to be members of the ruling party were often vilified by some colleagues for trying to make their government and the administration unpopular by disclosing illegal and wrongful acts, those who were believed not to belong to the governing party would often not receive the needed support from their colleagues as they refused to add their voices to such issues whenever they were raised. The role of the Presiding Member was also found to be critical as that could also determine whether particular issues were either tabled or permitted to be discussed.

Assembly members were required by law to brief their constituents on the agenda to be discussed at impending General Assembly meetings. This was to ensure that residents had the opportunity to share their concerns and opinion with their elected representatives to enable the later convey those views and concerns to the General Assembly. The provisions further mandated the local law makers to report back to their constituents all the decisions of the General Assembly after those meetings were actually held. The researcher found that Assembly members only complied with the aspect of reporting back from the Assembly occasionally. They argued that several factors had made it difficult to comply with all aspects of the provisions and at all times. Foremost among the factors were that the administration often sends them invitation letters very late, if any at all, sometimes just a few days before the meetings were held. It was therefore not practicable for them to organize meetings within the short space of time, especially when only a few people attended those meetings which were also costly to organize. Again, they were of the opinion that since the administration scarcely took suggestions from them, they considered such efforts to be of little utility. The internal audit unit reported a general lack of cooperation and enthusiasm on the part of the administration during auditing. Among the challenges that they faced in auditing the Assembly included delays in submitting relevant documents and reports for auditing purposes as well as equally long delays on the part of the administration in responding to audit queries. They also did not have logistics including vehicles to carry out effective monitoring and inspection of projects.

i. Transparency and Accountability in Procurement Management at the TMA

As indicated above, the Assembly's procurement processes were carried out with little participation of Assembly Members. Apart from the fact that some of the procurement

structures were not functioning properly, contracts were scarcely sent to the Assembly for the necessary approval by members as required by law. Even some members who served on the Authority (Executive Committee of the Assembly) where such contracts were to be sent finally before they got to the General Assembly denied knowledge of how most of the projects were awarded on contract. Where projects were reported to the General Assembly, these were done only after those projects were awarded on contract and even here they were often reported without their costs or contract sums. When asked about who then awards contracts at the Assembly, some Assembly members said it was the MCE, while others just did not have the answer. In sharing his concerns about this and other decision-making processes of the Assembly, one of the Chairmen who was both a member of the Works Committee and also the Authority (Executive Committee) lamented:

‘The technocrats take over everything and bring it to the Assembly for approval which is not in the best interest of anyone’.

Another area of much concern for members related to the many instances of projects that were often awarded vicariously for the Assembly by some national level individuals and institutions. The most culpable institutions were the Ministries of Local Government and Rural Development, Ministry of Gender and Social Welfare, Ministry of Education, Ministry of Roads and Highways, The District Assemblies Common Fund Secretariat, Ghana Education Trust Fund (GETFUND) Secretariat and others. Specific projects that came under these practices included Basic Schools buildings, fumigation materials, sanitation equipment, various kinds of supplies and purchase of computer units and accessories. Members complained that the Assembly did not have any information on who and how such contracts were awarded. All that they often found were reports that monies had been deducted at source (Common Fund Secretariat) from

the Assembly's portion of the DACF with prior knowledge of the Ministry of Local government and Rural Development. These often led to what respondents described as huge deductions of money at source from the Assembly's share of the District Assembly's Common Fund thereby leaving them with very small amount of funds that the Assembly often received from the Central Government.

It was further reported that even contracts for the award of projects under the Central Government Programme of providing food for basic schoolchildren (the Schools Feeding Programme) were awarded from Accra. The Assembly did not only deny knowledge of how those contracts were awarded but also did not know how much were involved, thus making it difficult for the Assembly to play any role in supervising how the children were fed in the basic schools. It is important to note that although the procurement law makes room for some contracts to be awarded at the national level when their costs exceeded certain limits, most of the cases being referred to fall below those cost limits and therefore were within the rights and capabilities of the Assembly to award them. Asked why the Assembly had not taken any legal action against the institutions involved to return those monies, the researcher was informed that the practice was happening in all Assemblies within the country, and that they were done with the knowledge of relevant government officials and therefore no one could do anything. These practices perpetrated by central government agencies did not only compound the problem of transparency and accountability within the Assembly, but also that approved for by law.

ii Transparency and Accountability in Procurement Management at Yilo Krobo Municipal

While the laws require transparency in all stages of the procurement process, some of the aims of transparency in the procurement processes of the Assembly include the need

to ensure fairness to all service providers, removal or reduction in the incidence of corruption and to obtain competitive pricing for goods and services and value for money. In spite of the numerous provisions in the law to ensure transparency in procurement, the researcher found that many local law makers were dissatisfied with the way procurement issues were handled in the Assembly. According to information obtained from the field, the procurement processes of the Assembly could not have been transparent since the structures that were meant to achieve that were not active. They described their situation as completely not informed about how the procurement processes were carried out. While some of them complained of having no information at all regarding how contracts were awarded, others said they saw just a few procurement adverts of the Assembly in the dailies. According to members, the Assembly's procurement processes were far from being transparent since most of the contracts did not go through the process, and that they were mostly awarded by the MCE and a few other administrators using single sourcing. Such contracts, they claimed, were often awarded to party affiliated contractors who could end up providing very poor services and at a very high cost as well.

In responding to a question on the procurement process within the Assembly, one Assembly member responded as follows:

'As Assembly members, matters concerning procurement do not come to us for discussion, we don't discuss matters of that nature. I cannot therefore speak much about that topic. The MCE may be the best person to provide you with the answers'.

Again, in responding to a question as to whether Assembly members had any worries about the way that management handled procurement processes, a leader of the General Assembly responded in the affirmative and went further to explain that his worries stemmed from the fact that :

'Honourable members were never involved in the award of contracts...that the selection of projects for tendering and final award of contracts were done in secrecy.

...that, also Assembly members did not know about the total values of projects that were awarded on contracts... '.

It was also established that the Administration does not report back to the General Assembly on the basis upon which contracts were awarded to specific contractors.

Finally, the study also revealed that most of the procurements were done at the national level on behalf of the Assembly by central government agencies and individuals with no involvement of the General Assembly nor the Executive in the process. It was further revealed that in most cases, even management found it difficult to obtain information and documentation relating to such procurements. In spite of this situation, which both management and Assembly members see as unacceptable, the administration claimed that it had refused to take any action about the anomaly since the MCE who was an appointee of government was not ready to take such a risk. This is because he could be sacked at any time for attempting to question or challenge his party or those to whom he owed his appointment.

In the context of the foregoing situation relating to the procurement processes of the Assembly, that representatives of the local people were, for most of the time, not involved in the procurement processes among others, one may conclude that the Yilo Krobo Municipal Assembly could hardly be described as being transparent and accountable to citizens.

iii. Transparency and Accountability in Procurement Management at Gomoa West District Assembly

Being the highest administrative and political institution in the district, the Gomoa West District Assembly was also responsible for the overall development of the district. To these end, the Assembly engages in several procurement processes to procure goods and services in accordance with relevant laws. The said procurement processes were

guided and regulated by the Local Government Act, 1993, Act 462; Financial Administration Act, 2003, Act 654; Public Financial Management Act, 2016, Act 921, and Public Procurement Act, 2003, Act 663.

Among others, all the relevant laws were aimed at ensuring a transparent, fair and cost efficient means of procuring goods, works and services by all state institutions who had the responsibility to manage public funds in a way that may achieve value for money. The procurement system was therefore aimed at procuring goods, services, and works of the right quality, at the right price, at the right time, and at the right place through an open competitive tendering process.

For procurement purposes, the Gomoa District Assembly, like all the others, was constituted by law as a Procurement Entity, having the legal and administrative mandate to engage in procurement processes. There also existed a Procurement Unit which is an outfit within the procurement entity having the responsibility of coordinating all procurement activities of the Assembly. The District Chief Executive served as head of the procurement entity. He is also charged with the responsibility of ensuring that the provisions of the procurement law were followed. The same also served as Chairman of the Tender Review Board, and also signed contracts on behalf of the Assembly, the Tender entity, and also has power to modify or reject a contract submission with reasons. The DCE was also accountable for any actions taken within the entity with respect to procurement.

Other members of the District Entity Committee included the Director of Finance, a Legal Officer appointed by the Assembly, Chairpersons of the Works and Finance and Administration Sub- Committees, two heads of departments (one of whom must be the user department of the works, service or goods to be procured), the District Budget Officer and the Coordinating Director. The Assembly also had in place Entity Tender

Committee that was responsible for review and approval of the annual procurement plans. The same also had power to approve contract and may also reject same. Besides, there is also a five-member ad hoc Tender Evaluation Panel which duty included making recommends for the award of contract, and was made up of persons with training and experience in Finance, legal and other technical expertise. For the sake of accountability, the law does not permit members of the tender evaluation Panel to be members of any contract award committee. Finally, the law also established a Tender Review Board for the Assembly with the responsibility to review procurement decisions within the given thresholds set out in the procurement law and also approve or reject a contract submission with reasons. The law also provided threshold limits for the various entities within which they had the power to engage in any procurement activity. The Assembly could only award contracts for the supply of goods, works and services with values not exceeding Gh550,000, 750,000 and 550, 000 cedis respectively. Any contract that had values above the stated levels had be referred to the appropriate Regional Tender Committee for approval. Until recently, in late 2016, the thresholds were much lower, just about 100.000 Cedis, above which the process must be referred to the Regional Coordinating Council.

Notwithstanding these procurement arrangements, the study found that most of the Assembly members did neither know how projects were awarded on contract, nor how other services were procured. Although some of them occasionally saw advertisements of the Assembly in some of the national dailies, they knew very little about how the contracts were finally awarded. They believed that the contracts were awarded by the District Chief Executive and a few other members of the Executive, since, in their opinion, the procurement structures were not permitted to operate in accordance with the law.

Again, the executive never reported to them about the basis of awarding contract to specific service providers, neither did the Executive disclose to them the cost of projects and services procured by the Assembly. Some Assembly members even asserted that they were not aware of how some contracts that were meant for their communities were awarded. Besides, they were not required to ‘interfere’ in the work of contractors in anyway. This meant that contractors were not obliged to recognize them even for the purpose of receiving feedback from the local legislators.

The study also established that some Central Government Ministries, Departments and agencies procured goods and services for and on behalf of the Assembly. Some of the ministries and departments involved in this practice were the Ministry of Local Government and Rural Development, the Ministry of Gender and Children Protection, the Ministry of Education, the National Association of Local Authorities of Ghana (NALAG). Others included the National Disaster Management Organization (NADMO) and the Youth Employment Programme. Some of the items that were often procured for the Assembly included sanitation and refuse collection trucks and equipment, electricity poles, bulbs and other equipment, refuse bins and computers. As in the case of the other Assemblies, some contracts were also awarded from the national level for the Assembly. Typical contracts that were often awarded this way included refuse collection, cooking for school children under the Ghana Schools feeding Programme, and construction of school blocks for basic schools among others. All such projects were awarded without the involvement of the Assembly, but the costs were deducted at source from the Assembly’s share of the District Assemblies Common Fund, which in most cases left only small balances in the accounts of the Assembly. It was noted as well that the costs of such centrally procured goods and services were

unusually very high, and most of the equipment lacked warranties, neither were there any agreement for post-delivery servicing of the equipment. This is viewed to represent a major defeat of the argument by proponents of centrally managed procurements who argue for such practices on the grounds that they could lead to cheaper costs as a result of economies of scale resulting from bulk purchases. One may conclude, on the basis of the foregoing, that although the Assembly was empowered by law to carry out the procurement of goods and services within given contract values, central government bodies has usurped this power, making procurements for, and on behalf of the Assembly usually at very high costs on the accounts of the Assembly.

6. 10 General Findings on Social Accountability at the Assemblies

The author defines Social Accountability as the range of actions on the part of ordinary citizens aimed at ensuring that actions of public officials do not only fall in line with rules and policy, but also with the hope of preventing and exposing corrupt acts by public officials. In public systems where, for many reasons, the efforts by the state through horizontal accountability may not be adequate to achieve integrity in governance, the role of social accountability becomes critical in ensuring transparency and accountability of officials. The role of citizens and civil society organizations in Ghana's decentralization process is generally provided for by both the constitution and the Local Government Act, 1993, Act 462. In a situation where the capacity of elected representatives of the Assembly to demand accountability from the Executive is challenged by an exceptionally powerful Executive, the role of citizens' groups to engage with the former to demand accountability should be highly expected.

In the case of all the Assemblies studied, however, the researcher did not find any Non-Governmental Organizations (NGOs) or Community Based Organizations (CBOs) engaged in any social accountability processes. Although some NGOs and CBOs were operating within the jurisdictions of the Assemblies, all their activities were centred on health and economic empowerment, but not on matters relating to governance, since governance activities may not produce immediate productive results to cater for the urgent economic needs of the citizens.

6.10.1 Social Accountability at the Tema Metropolitan Assembly

In the case of the Tema Metropolitan Area for example, data obtained from the Assembly and the Department of Social Welfare indicated that all the Non-Governmental Organizations (NGOs) and Community-Based Organizations (CBOs) as well as Civil Society Organizations (CSOs) operating within the metropolis focused their activities on economic, health and welfare issues instead of matters of good governance. The groups believed that it was a very daunting task beyond their capabilities to work on issues such as government accountability and transparency especially when one has to deal with government officials. They were not sure of getting any results from such efforts which some of them described as *waste of time*. The absence of any activity on the part of citizens, both as individuals and also as groups and associations, to ensure accountability of the local government officials, makes void and of no effect the constitutional provision in Article 240, Clause 2 (e) which provide for and seek for the accountability of local government bodies to the people.

6.10.2 Social Accountability at the Yilo Krobo Municipal Assembly

Also in the **Yilo Krobo** Municipal Assembly, the researcher found very few citizens' groups within the Municipality that had a focus on governance issues. Some of the major groups operating within the Municipality were economic interest groups such as

Traders Associations, the Ghana Private Roads Transport Unit (GPRTU), the Ghana Association of Teachers (GNAT) and other Community-Based Organizations. The only engagement that the Assembly had with some of these groups was for the fee-fixing resolution sessions. The absence of any citizen's groups working with the Assembly for the purpose of accountability has therefore made any social accountability process within the Assembly very negligible.

However, the researcher found that the officials of the Assembly did not respect most of the provisions of the law pertaining to the procurement of goods and services. This means that their procurement processes were done with very little transparency. The Assembly members denied any knowledge of how contracts were awarded within the Assembly. These notwithstanding, the fact that some of the contracts were published in the national dailies and on the notice boards of the Assembly, members alleged that the administrators did that just to fulfil the requirements of the law, but in actual fact, they knew those who were to be awarded contracts even before the advertisements for contracts were placed in the papers.

It was further asserted that although there existed a number of committees within the Assembly as a procurement entity, such as the Procurement Unit, the Tender Committee, Tender Evaluation Panel, Tender Review Board among others, all the Committees were not active. They also said that all contracts were awarded by the District Chief Executive and his core staff in the dark, using mostly the single sourcing method, which provided no room for competition; and again, most of the contracts, they alleged, were awarded to contractors who were affiliated to the ruling party. It was further stated that the Assembly neither explained to them the basis for the award of contracts to service providers, nor were they provided with information about the value of the contracts.

Touching on procurements that were carried out by central government agents and agencies on behalf of the Assembly, management did not only deny knowledge of how the costs of such projects were arrived at, but also asserted that such projects never went through any bidding processes. They also intimated that in most cases they did not even know who were behind those projects to whom they had to pay huge sums of monies from District Assembly's accounts. There were also other instances where they were made to sign contracts on behalf of the Assembly although they did not express any interest in the services being offered. Both the law makers and the administrators of the Assembly were of the opinion that there was very little that they could do to change the issues surrounding the lack of transparency at the Assemblies. While the law makers claimed that all their calls for more transparency had never been heeded to by the Executive, the administrators lacked the logistics including vehicles to carry out effective monitoring and inspection of projects.

6.10.3 Social Accountability at the Gomoa West District Assembly

In the **Gomoa West District**, the study again found that the role of NGO's and citizens' groups in governance was generally minimal. Although some NGO's including the New Life Foundation, International Needs, Opportunity Education and Ghana National Education Campaign Coalition were found to be operating within the District, no NGO or citizens' groups was found working in the area of Governance, and accountability in particular. The Assembly occasionally invited leaders of the Ghana Private Road Transport Union (GPRTU) and Market Women to discuss with them the proposed amounts of levies and fees to be paid in the ensuing year. However, the leaders of those groups had described such meetings with the officials as only informational, where official of the Assembly told them what levies they would be paying in the coming year.

In the light of the foregoing, one may conclude that like the other forms of accountability, social accountability was non-existent in Gomoa West as a result of the fact that there was barely any NGO or group of citizens in the district who demanded that officials of the Assembly provided information or answers for any aspects of the activities of the Assembly.

6.11 General Findings on Major Concerns of Key Stakeholders at the Assemblies

Key stakeholders in Ghana's Decentralization including Assembly Members, Presiding Members, Heads of Decentralized Departments, Coordinating Directors and Chairpersons of sub-district structures shared their thoughts about the current state of the Country's decentralization. Among the common major concerns were firstly that, the nation's decentralization is mostly on paper rather than anything real. The administrators cited what they described as 'huge deductions' made at the national level from their Assemblies share of the DACF without any authorization from the Assembly and the award of contracts on their behalf at the National level as a key issue of concern for them. The practice, according to them, makes it difficult for them to implement their own development plans and budget since the deductions leave them with very little resources to work with. A Senior Administrator in referring to this problem lamented:

There is too much interference in the business of the Assemblies from the top. This is unnecessary under decentralization and they must stop.

Another related issue of concern for stakeholders is the persistent lateness in the release of the Common Fund by the Common Fund Secretariat since the Fund was instituted. Sometimes the funds had been in arrears for between 12 – 18 months, thus further compounding the problem of implementation of the Assembly's programmes. Some of the Administrators were also concerned about the low quality of government

appointees, most of whom were found to possess very low educational qualifications.

One of the officers lamented:

'People should be appointed based on their capacity. This is to add value to debates in the Assembly'.

They were of the view that since it was difficult to do anything about the quality of elected members of the Assemblies because they were elected, the only means of improving the quality of discussions at the Assemblies should be to appoint qualified professionals to augment the professional inadequacies of the elected members.

Also of major concern for all Assembly Members was their common notion that that the executive branches of the Assemblies have taken over all the decentralized power for themselves. Finally, Assembly members were highly concerned that the state does not pay them any salary or allowances for their services. In reference to this problem, one Presiding Member remarked:

'Of all those working within Ghana's local government system, we (Assembly Members) are the only ones not paid. Maybe this is one clear way that the State is telling everyone that the role of Assembly members is of no importance, and as such not needed'.

Participants equally did not understand why the President still has to appoint MMDAs for the Assemblies – a situation they described as undemocratic, and called for election of MMDEs. This concern is in agreement with Azunu 33(2015) when he found among others that:

'most of the interviewees are of the view that election of DCEs would be a channel for deepening democracy at the grassroots to promote accountability and harmony in Ghana's local government'

Finally, audit officers at all the Assemblies studied expressed concern about the current relationships that they have with the Assemblies which make it difficult for them to

perform their auditing assignments with greater independence. One of them commented as follows:

‘The inability of the auditor to exercise independence in the executing of his mandate bearing in mind that the resources needed to execute his duties are to be provided by the auditee’

The officers concurred that any rearrangements of the relationship between the internal auditors that could reduce their dependence on the Assemblies for resources to enable them do their job, could lead to the improvement of the level of transparency and accountability of the Assemblies since that could make them more effective.

6.11.1 Key Concerns of Stakeholders at the Tema Metropolitan Assembly

At the TMA, according to the Assembly members, the Administrators, acting together with the MCE, take policy decisions without their involvement. According to them, their decisions were often substituted for those of the MCE and the Executive. That, the MCE and the Executive award contracts for which costs they may even not be aware. In the same way, the sub structures – the Sub Metropolitan District Councils and Unit Committees–consider themselves neglected and almost forgotten by the Metropolitan Assembly as they were neither resourced, empowered for any action nor even recognized by the Assembly officials whenever they visited their communities.

Another major issue of concern for most of the stakeholders was about the mode of appointment of the MCE and the appointment of 30% of Assembly Members by the President. These has led to the introduction of partisan politics into the Assembly that is expected by law to be non-partisan. Stakeholders believed that most of the current poor performance of the Assembly could be blamed on this practice, which superimposes partisan appointees whose overriding interest is to satisfy the preferences of their political masters even if at the expense of the preferences of the local community.

Finally, Assembly members were not happy that they have to offer their services without receiving any form of compensation. According to them, the time and efforts that they spend to attend meetings and other related engagements are so much that they must be paid like all other staff of the Assembly.

6.11.2 Key Concerns of Stakeholders at the Yilo Krobo Municipal Assembly

In the Yilo Krobo Assembly, all the stakeholders beginning with the MCE, Municipal Coordinating Director and Heads of Department to Assembly Members, had some concerns about the current state of the Nation's Decentralization and Local Government System, for which they made some related recommendations.

Firstly, most of the Stakeholders were unhappy about the low level of interest and awareness among the average citizens regarding issues of decentralization and local government in general. The low awareness had resulted in the general lack of interest and concern for local government issues, including the need for participation and payment of rates among others. This could also explain the reason behind the fact some Unit Committees did not have their full membership in addition to the fact that they did not also know what their responsibilities were. Even for key players in decentralization such as Assembly Members, the understanding of the various laws and standing orders by most of them were found to be problematic because of their general low level of education. This near ignorance among the public and the Assembly Members has made it easier for the executive branch of the Assembly to usurp the powers of Assembly Members and the General Assembly with impunity. The need to carry out intensive education among the public about decentralization and local government in general was identified as one of the possible means to address the challenge.

Another issue that emerged to be of great concern for all stakeholders was about the half-hearted commitment on the part of the government and other key stakeholders to

implement the nation's decentralization in accord with the policy provisions. Among the key concerns for the administrators, for example, was the huge deductions that were regularly made at source from the Assembly's share of the Common Fund. Of still further disturbance to the executive was the award of contracts by central government agencies at the national level on the account of the Assembly. They could not understand why such unauthorized actions could take place under the current decentralized system, which according to the spirit and letter of the policy, the Municipality was to be in full control of all of its decisions including those relating to expenditure. A high-ranking Administrator at the Yilo Krobo Municipal Assembly remarked:

Our major concern is about total decentralization of the system, because we can see clearly that some aspects are dictatorial. For example, the way the DACF is managed and the award of contracts are all managed by central government'.

The executives hope that the practice could seize forthwith to give true meaning to decentralization as espoused by the policy.

In expressing similar concerns, the Assembly members also had many issues of concern with the way decentralization was implemented at the local level. They felt disappointed and discouraged that the executive arm of the Assembly had taken over the very role that was by law reserved for the lawmakers. These roles included general decision making which included decisions about budgets, projects, and award of contracts among others. In finding a way out of these quagmires, both the Executive and Assembly members located the root of the problem at the mode of appointment of the MCE. They believed that because the President appointed the MCE, he was so much indebted to him and the ruling party to the extent that he would not dare challenge any decision that the President nor his party nor any of the agents of the same took about

the Assembly. This had made the MCE to be accountable only to the President and his party, the same of which he also had to do and fulfil their biddings.

Lastly, Assembly members were disappointed about the fact that they were not offered any compensation for their service. The local legislators did not understand why all the staff of the Assembly were paid salaries except the legislators. They recounted several functions that they performed within the communities which included settlement of disputes among community members, and mobilizing the community to undertake communal labour among others. Some community members also demanded all sorts of assistance ranging from payment of their children's school fees and medical bills among others from the Assembly members. These particular demands were made on them because some members of the public did not know that Assembly members did not receive salaries nor allowances for their service. Considering that most of the Assembly members themselves did not have any reliable sources of employment, the demand on them by some members of the community for varied kinds of support constituted one of the major sources of embarrassment for members. The members would like to appeal to the government to consider the need to pay Assembly members for their services.

6.11.3 Key Concerns of Stakeholders at the Gomoa West District Assembly

At the Gomoa Assembly, all groups of stakeholders had some concerns regarding the current state of Ghana's decentralization. Both administrators and assembly members, for example, were very unhappy about what they described as strong control that central government was still exercising over the Assemblies. They found it difficult for example, to understand why central government was still controlling the Assembly's share of the DACF by deducting huge amounts from it under the pretext of procuring goods and services for the Assembly without their authorization. The practice, they

asserted, had made it difficult for them to successfully plan and implement their own plans as a result of not being able to project the resources available to them. Most of the stakeholders were not convinced that the nation's decentralization was real since the Assembly had very little control of its own affairs. One of the Chairpersons of the Works Sub -Committee in his complaint stated:

'The interference from the top are too much for us, they must stop.' In another comment, one Assembly member also asserted briefly: *'the decentralization system is not working, everything comes from the top...'*

Also, the administrators were equally concerned that most of the decentralized departments were still not fully integrated into the district assembly system, but that they were still operating with strong attachments to their regional and national bodies as usual. According to the Administrators, heads of decentralized departments currently only attend sub-committee and general Assembly meetings, beyond which there was nothing more to show for their decentralized statuses. They therefore called for the central government to enforce all the current laws to enable all decentralized departments to function as such. On the other hand, those departments, which have been resisting decentralization for all this while, which included Education, Health and Agriculture, have common concerns bothering on the capabilities of the Assemblies. Concerns were articulated, for example, about what level of competence the Assemblies have to be able to supervise the activities of technical issues such as agriculture, health and education among others. Concerns about *'high levels of corruption'* were also raised by some of the departments who felt that decentralization was being pursued to enable officials of the Assemblies gain access and control over the resources of the departments thereby creating more opportunities for corruption. The nature of the resistance by these departments were to such an extent that their officials were not ready

to talk to the researcher upon knowing that he was at the office as a researcher on decentralization. One of them said:

'But if you are researching on decentralization, why are you here? We are not part of the Assembly. They are involved in decentralization; we are not part of it'.

On their part, Assembly members were equally concerned that the administrators often took decisions and implement them without seeking authorization from them. They were of the opinion that the Administrators had taken over the powers belonging to them by taking control of all decision making as well as implementation thereby leaving them to the role of just endorsing the decisions of the administrators. The administrators carried out many activities including procurement of goods and services, as well as implementation of projects in the electoral areas of the Assembly members often without their knowledge was found to have led to tension, bitterness and mistrust for administrators.

Another issue of major concern for Assembly members was the current mode of appointment of the District Chief Executive by the President. Besides the argument that the practice was undemocratic, the local lawmakers were of the view that the practice was partly responsible for the control being exercised by the central government over the Assembly. They called for a review of the practice to make way for the electorate to directly elect the District Chief Executive. The Assembly Members expressed similar concerns about them having to offer their services on voluntary basis for all this time. They felt that since all other officials of the Assemblies were paid, they too had to be paid for their services.

The Assembly member is always going for meetings, most of which costs are borne by members themselves since the Assembly would tell you that they have no money to pay T&T and sitting allowances; the Assembly member go on many errands for the community. Besides the Assembly member is always settling cases for people and many more, yet no one pays you anything; is this not cheating?

Lamented one of the Assembly Members. Decentralized departments were found to be highly apprehensive about the entire decentralization system. Although they also shared the view that the entire decentralization system was not being implemented according the policy, they were of the view that the Assemblies were corrupt, incompetent and inefficient. They were therefore not happy to be joined to such a system, and worse, to be controlled by officials of the Assembly.

Finally, most of the stakeholders were worried that the Assemblies was not supporting the decentralized sub-structures and central government to enable them perform the functions assigned them. They were of the opinion that one of the reasons for the ignorance of most people concerning the local government system was due to the neglect of the sub-structures. It was suggested that many people could come to understand the decentralization system better if the Unit Committees and the Town and Area Councils were empowered to play their role effectively within the decentralized system.

CHAPTER SEVEN

SUMMARY OF FINDINGS, CONCLUSIONS, POLICY IMPLICATIONS AND RECOMMENDATIONS

7.0 Introduction

In the final chapter, the researcher summarises the main findings with reference to the research questions. The researcher then discusses the findings in the context of other studies, theory and practice. Based on the foregoing, the researcher then draws conclusions and implications of the findings for theory and future research as well as policy and practice. Finally, the chapter ends with recommendations for stakeholders in local government and decentralization.

The study was aimed at contributing to the understanding of the state of Ghana's administrative decentralization and local accountability in the context of current policy objectives and the relevant legal framework. Guided by the constructivist and interpretive ontologies and relevant epistemologies, the researcher investigated questions related to what administrative capacity the Assemblies possess to plan, make and implement decisions to fulfil their core mandate, and whether they also have the discretion to manage their staff in a way that could best serve the interests of the local Assembly. Also, among the questions were whether the Assemblies possessed the financial capacity and autonomy to effectively carry out their decentralized functions as specified and envisaged by policy, and if not, what could be the reasons; whether decentralized bodies of the Assemblies, including departments and the sub-structures were fully decentralized and performing their roles, responsibilities and functions as specified by law; and if not, what explanations may be offered. Other questions focused on whether the Assemblies supervised and coordinated its plans, budgets and other programmes with those of the decentralized bodies in accordance with current policy

as well as whether the main decisions as reflected in the Medium Term Development Plans, Budgets and other programmes of the Assemblies and decentralized departments reflected the preferences of the local people and their representatives. The final questions were focused on whether the Assemblies, through their administrators, were accountable to the people as required by law and lastly, what the major concerns of key actors about the nation's administrative decentralization and local accountability programme.

Having argued that notwithstanding the various legal and policy provisions aimed at transferring power and decision-making from central government bodies to decentralized institutions, central government bodies and local bureaucrats still controlled power and key decisions of the Assemblies with almost all decentralized substructures neglected, the researcher now summarises the main findings below for discussion.

7.1. Summary of Findings and Discussion

7.1.1 On the administrative capacity of the Assemblies to undertake its mandate, the researcher found that all the Assemblies were staffed with qualified personnel ranging from accountants, internal auditors, finance officers, public administrators, development policy planners and civil engineers among others. It was however, observed that they were inundated with senior staff most of whom possessed MBA qualifications in finance and public administration. There were only a few staff with high qualifications in technical areas such as accounting, development policy planning, spacial or settlement planning, auditing, environmental management and civil engineering. These qualifications are very relevant and necessary to enable the Assemblies perform their functions effectively. All the Assemblies also suffered inadequacy of logistics and equipment for these same personnel to enable them move

to communities to enforce the byelaws of the Assemblies, including town and country planning and sanitation. This confirms Awortwi's finding (2008) that the Assemblies lacked people with the required skills and competences as well as necessary logistical equipment required to facilitate their work. Although this also confirms Chireh's (2010) assertion about the technical and managerial inadequacies plaguing Ghana's local governments which he also claimed could undermine the popularity of the Assemblies, the researcher finds the suggestion by Hoffman and Metzoreth (2010) that Ghana did not need decentralization due to the challenges of technical personnel to be overstretched. The researcher does not see the problem to be one of lack of technical personal to manage the Assemblies, but instead, it has to do with improving the conditions of service for such personnel who currently get more attracted to the private and not-for-profit sectors because of better conditions of service.

Considering that the Assemblies were established mainly as development planning bodies that also undertake various forms of construction projects in the process of fulfilling its planning functions, the inadequacy of planners and civil engineers as well as professional environmental officers could undermine the performance of the Assemblies in its core functional arears such as development planning. Some of the immediate effects of the professional gaps included poor planning approaches, poor environmental management and services, poor town and country planning and management, weak enforcement of town planning codes as well as poor quality of infrastructure projects. Overall, the rate of development of the Assemblies could be negatively affected, thus undermining the fundamental aims of the nation's decentralization efforts generally, and administrative decentralization in particular.

7.1.2 Regarding the state of decentralization of departments of the Assemblies, the study found, among others, that only a few departments were somehow decentralized. The law required Metropolitan Assemblies to operate sixteen (16) decentralized departments; Municipal Assemblies, thirteen (13) departments and District Assemblies, eleven (11). The study, however, found that besides the fact that not all the departments were even in existence in all the Assemblies, most of the ones that existed did not operate as such. Only Central Administration and the Finance Department had some appreciable number of staff to operate as departments. All the other departments had only skeletal staff of between one and three. They had no separate budget lines nor programme separate from that of the central administration. It was also found that staff of the Finance Department and officers of NBSSI, NADMO and BAC, among others, did not operate as staff of Local Government Service. While the Finance departments were still attached to the Ministry of Finance, NADMO still operated under the Ministry of Interior while BAC and the NBSSI were attached to the Ministries of Trade and Industry. The nature of relationships among the entire staff is one that sees the MMDCE as the only head followed by the Coordinating Director to whom all other officers in the other 'Departments' report directly.

On the other hand, the Departments of Health and Education Youth and Sports still operate as deconcentrated departments with very little relationship to the Assembly in terms of coordination of budget and programmes. There was very little reporting relationship as well as supervision between the Assembly and these departments.

It is evident that administrative decentralization still has a number of hurdles to overcome before the provisions of the law and policy may translate into reality. Although central and regional bodies still hold onto much of the power and resources

in relation to some of the local departments such as education, agriculture and health among others, there also exist resistance from these same deconcentrated departments at the local level to be decentralized. Besides, the executive has also not provided the enabling environment for most of the other departments, who should be operating as decentralized units, to operate as such. In the case of the departments of education, health and agriculture the local heads clearly prefer to remain deconcentrated because of factors including lack of confidence and trust in the abilities of the staff of the Assemblies whom they claim were of relatively much lower qualifications. Although such a claim could not be true especially in the case of some of the administrators of the Assemblies, the qualifications and experience of most of the Metropolitan, Municipal and District Chief Executives, who owed their appointments primarily to political considerations, has been found not to be the best considering the fact that all other public officials within the district must report to him, over whom he also supervises.

What one finds to be common among all the stakeholders though is the desire to hold on to the various power and control that they have been familiar with, hitherto. While central government and regional departments and administrators did not like to release power to the local bodies, local deconcentrated departments feel more comfortable with the situation notwithstanding, since they could still wield some power through decision-making and control of departmental budgets, which they feel, may not be the case should the Assemblies be in total control. This confirms the assertion by Ribot (2001) that:

‘Opposition to decentralization often emerges within the civil service since it threatens the roles that many front - line civil servants play’.

It is the same reason for which local administrators have not facilitated the complete decentralization of the departments. In a nutshell, the provisions of Section 38 (2) of Act 462, which was also quoted in LI 1961 (2009), *that each District Assembly shall be responsible for the preparation, administration, and control of the budgetary allocations of the decentralized departments* has still not been effected, after more than seven years of the passage of the latest law and about twenty-five years after the passage of Act 462. Furthermore, the Assemblies could not have exercised full administrative authority and provide guidance, give direction as well as supervise all other administrative authorities in the districts as provided by law under the existing situation.

7.1.3 Discretion by local governments over the hiring and management of personnel related issues is an important means of local ownership and control of officials in the service of decentralized institutions since it could contribute to ensure accountability of the executive. The researcher found that on the contrary, the Assemblies did not possess discretion over any of its main staff, with the exception of a few labourers and other casual workers. They did not have discretion over the hiring of their staff; they could not determine their conditions of service, neither did they have the power to promote nor dismiss any of the staff. The lack of control of the Assemblies over human resources management had resulted in the situation where some departments recorded understaffing while others were overstaffed. It was also observed that in some cases staff were forced on the Assemblies although they had no need of them.

'I was simply imposed on the Assembly. Even though Management was not ready to accept my posting here due to overstaffing at the Human Resources Department, they were unable to prevent me from coming here in spite of all their protests' (Human Resources Officer).

Having almost no direct control over most of the heads of department, it is not surprising to learn that most of the heads of department failed to submit reports to the Assembly when necessary and also attended Assembly meetings according to their own

wishes. Under such circumstances, one would find it difficult to understand how such officials could be made accountable to the local Assemblies as required by law.

7.1.4 Concerning the power of the Assemblies to take decisions such as preparation of their own development plans and budgets and also engage in procurement, the researcher observed that in accordance with the existing laws, the District Assemblies were composed of the District Chief Executive, Elected Assembly Members from each electoral area (forming 70% of the total membership) the Member(s) of Parliament within the area of authority of the Assembly without a vote, and other members constituting 30% of the entire membership who were appointed by the President. Each one of them also had their own bye-laws although they often failed to implement them due to insufficient staff. Although the law (Act 462) also established the Assemblies as the highest political institutions at the local level to exercise deliberative, legislative and executive functions, the study revealed that, on the contrary, most of the decision making powers were concentrated in the hands of the District Chief Executive and the other high ranking officials of the Assemblies. Key decisions of the Assemblies such as what projects to undertake at particular locations; what projects to be budgeted for; which project gets implemented and when that should happen; and which service provider gets what contract were largely determined by the District Chief Executives and their other senior administrators regardless of the provisions of the law. Ato Arthur (2012) similarly established that:

‘Local representatives’ consultations and use of feedback mechanisms that is to assure the local actors that their interests reflect in policy-making have been circumvented in the Municipality’

One of the MMDCEs involved in the study lamented:

Most of the time we take directions from the national and regional levels. We also seek approval from national and regional levels before implementing some decisions. For

example, the recent resolution by the Assembly for the transfer of the building inspector needed approval from the national.

Commenting on the same situation, another high-level administrator also remarked:

There is too much control from the top. The government sets many conditions for the use of the DACF. They indicate percentages of the amount to allocate to various sectors; even sometimes with mandatory projects, which you have to obey. Sometimes 60% of the Common Fund is earmarked, and you cannot resist since the DCE is appointed by the President. In 2014, as much as 20% of our total Common Fund was earmarked by government for administrative expenses.

It was revealed that most of the earmarked funds were used to pay for the cost of purchases, which central bodies had made for and on behalf of the local governments, often without any involvement of the later in any aspect of the procurement processes.

One local Government Inspector lamented:

'Government pushes projects and purchases over the Assemblies, but no one can do anything so long as the MCE, Finance Officer and Coordinating Director know about it. Most of the things in the Development plan and budget are often sacrificed for the ones pushed from the top'.

The foregoing findings confirm Debrah (2008) in his study of four Assemblies selected from four regions in Ghana. He observed:

'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 subsumed the popular local interests thereby making the accountability of local leaders to the Das rhetorical...'

The researcher describes the foregoing situation generally as leading to **power-reversal**, caused by a successful **power-jacking** or **power-nexation** on the part of the local executives. The power-reversal is the result of the successful process of power-jacking or power-nexation which refers to the process of taking over power that did not belong to an entity but had been acquired by any means rather than legal. But power-nexation at the local level is possible under the current circumstances because of the reluctance of central government bodies to cede off power to local units despite the provisions of the law. The researcher also refers to this reluctance to actually transfer as prescribed

by the law as **power-nertia**. Power - nexation at the local level is the necessary mechanism through which central bodies are able to extend their powerful influence to the local level. Local executives are therefore in connivance with central government bodies and agents to facilitate the desires of the latter, a situation that is also aided by the DCE who is an appointee of the President, and for that matter, an instrument of central government who is more interested in fulfilling the pleasures of the latter than the local people over whom he/she presides.

In answering a question as to whose interest he would give priority attention in a situation where he had to choose between the interest of central government and those of the local people, one of the DCE's said that he would rather serve the interest of the central government first since he owed his appointment at the pleasure of the President of the Republic. Although most of the Assembly members were well aware that the foregoing situation is an encroachment on the powers of the general Assembly, they still felt they could do nothing to change the situation since the government appointees and the Presiding Members often colluded with the Executive to get almost everything including unlawful acts and decisions approved by the General Assemblies.

It was, however, established that in most cases, agents and officials of central government and the ruling political party were behind most of the above decisions that were pushed by the Executive at the local level, especially those that involved the award of contracts to particular service providers. There were also projects that were awarded on contracts by central and regional officials directly from the regional and national capitals which were charged to the accounts of the Assemblies. While even local executives were also not happy with most of the decisions that they had to 'make sure'

were implemented by their respective Assemblies, they also claim that there was very little that they could do about the situation as long as District Chief Executives were appointed by the President who could get their appointments revoked at any time without the need to provide explanation to anyone.

Ribot et al (2006) described similar situation with reference to their studies in Senegal where although the law empowered local decentralized bodies to be in charge of specific decisions, but in practice central bodies took over such powers as *centralizing while decentralizing*. While this phenomenon is also true in the case of Ghana, the researcher would prefer to describe the Ghana situation as **local centralization** since notwithstanding the efforts by national officials to recentralize decisions, there also exist local level centralization where most of the power and decisions that has been decentralized to the local bodies were wielded by the Executive arm of the Assemblies while they used the General Assembly to vote on them to provide a semblance of legitimacy to their decisions. Besides the data supporting these conclusions, attention could also be drawn to the General Assembly Hall of the Tema Metropolitan Assembly with specific focus on the special chairs on which the Presiding Member, the Metropolitan Chief Executive and the Metropolitan Coordinating Director sat (fig. 3.2, p.54). Above the heads of the three, hanged the photo of the President of the Republic. This arrangement was found in all the three Assemblies that were studied. The researcher points to the special nature of these chairs, which is seen to be much higher and bigger than those of the Assembly members and all other persons, as a perfect symbolic representation of how the officials see their power and statuses as compared with those of the local legislators and others.

7.1.5 On the financial capacities of the Assemblies and autonomy to carry out their decentralized functions effectively, the studies revealed that the Assemblies generally

lacked both the financial capacity as well as the autonomy to enable them plan and successfully implement their own programmes according to their own schedules. In terms of capacity, the researcher found that while the District and Municipal Assemblies suffered from low and unstable revenue resulting from low level economic activities in their jurisdictional areas, the Metropolitan Assembly, on the other hand was able to generate far more financial resources from local sources as a result of the existence of much more buoyant economic activities within the local government area. For example, while Tema Metropolitan Assembly received a total of more than nineteen million Ghana Cedis from Local sources in 2015, the Yilo Krobo Municipal and Gomoa West District Assemblies received just over one million Ghana Cedis and three hundred and thirty thousand Ghana Cedis, respectively, in that same year. These situation has resulted in heavy financial dependence by the Assemblies (including the TMA) on central government for financial resources to enable them carry out basic administrative functions in some cases. Although the Constitution of Ghana (Article 240, clause 2b) makes a mandatory provision that:

‘There shall be establishment for each local government unit a sound financial base with adequate and reliable sources of revenue’.

The researcher could not find any such establishment in any of the Assemblies. The situation of the Assemblies is often worsened by the late releases of the DACF to the Assemblies, and worst still, the unpopular practice where central government agencies and bodies engage themselves in making unauthorised purchases including the engagement of contractors at the national level on the account of the Assemblies. This often left most of the Assemblies with little money with destabilizing effects on their own plans and programmes. In their studies titled *the legal regime and the compliance façade in public procurement in Ghana*, Ibrahim et al (2017) also reported complaints

by a District Coordinating Director about the lack of control and discretion of the Assemblies over their resources thus:

Every now and then we receive wireless messages and letters from Accra about the sector Ministry or other such central government agency having procured some goods and services on our behalf...such unplanned procurements often throw our plans off gear’.

Besides the control that central government exert over the decentralized Assemblies as revealed so far, the inability of the Assemblies to keep to and also implement their own plans and programmes successfully as a result of their financial dependency on central government has serious implications for the development of their respective areas – one of the key aims for which the nation undertook decentralization. Considering the findings made in this paper, the researcher avers that the inertia on the part of power holders to allow decentralized bodies the freedom to exercise discretion (phenomenon also termed **power-neria** in this paper) over many aspects of the Assemblies’ decisions is to continue to take advantage the resources of the latter as shown in the foregoing.

7.1.6 Regarding the state of the decentralized sub-structures of the Assemblies, the studies found that all the sub-structures of the Metropolitan, Municipal and District Assemblies lay desolate with the exception of only two of the three sub-metropolitan District Councils of the Tema Metropolitan Assembly. In the case of the TMA, the Tema East Sub-Metro had an office building with staff and a director. The sub-metro was not found to do any other thing beyond organizing periodic meetings since the Assembly often gave them far less portion of the 50% ceded revenue that they were entitled to. Tema West sub-metro, on the other hand, had no office since their establishment in 2000, but they also held periodic meetings. The officials of the sub-metro operated from a temporary wooden structure, which also suffered frequent disconnections of electricity because of not having money to settle their electricity bills. Like the Tema East, they also did nothing beyond organizing periodic meetings. This

is because the Assembly did not provide them with the necessary funds to enable them perform the functions assigned to them by law. They had no development plan of their own, or a budget for their activities.

Bemoaning their condition, one of the Directors complained:

The Assembly gave us our first ever-ceded revenue of Gh 14, 000 in 2014; in 2015, we were given Gh 64, 163.95, but T&T for meetings alone totalled Gh 24, 000.00; while office consumables took Gh 10, 000. From January to May this year, the Assembly has still not paid any ceded revenue to us.

Although the sub metro collects revenue for the Assembly, the latter often failed to return 50% of the collections to the sub-metros as ceded revenue. In expressing his disappointment about the nations decentralization during discussions at one of the meetings of the Tema East Sub-Metro, the chairman lamented:

'I don't know whether decentralization only takes place on paper or there is something more than that'.

The researcher found that the Tema Central Sub-metro is not in existence although it existed on paper; neither were any of the Town Councils found. The Unit Committees were also not functioning, except on few cases when they were called to meetings at the request of the respective Assembly members.

In the Manya Krobo Municipal Assembly, the researcher found that only one Zonal Council among the eight sub units had an office, which also did not have furniture nor office equipment to enable any activity to be carried out from there. Like elsewhere, the Assembly released neither the ceded revenue nor the mandatory 2% of the DACF to fund the activities of the sub structures. The Zonal and Area Councils scarcely had meetings; they neither had development plans, nor budgets to enable them carry out any of the functions assigned to them by law. Here too, the Unit Committees were found to be dormant as most of them looked up to the Assembly member to call them to meetings or give them directions as to what they could do.

The general state of the sub-structures is one of neglect and therefore disappointment with all the stakeholders who are directly involved in the process. By the refusal of the Assemblies to empower the sub structures to perform their functions as stipulated by law, the people at the grassroots have not only been deprived of the platforms for participation in governing themselves, but also such deprivation amounts to the general failure of the nation's decentralization programme. This is because citizens' participation was found to be one of the foundation stones upon which the nation's decentralization was constructed. Besides, the opportunity to mobilize the people at the grassroots for the initiation of community centred development is also being missed.

The result of the foregoing situation, among other findings as shown above, is that the nation's decentralization, to the extent that it is currently being implemented, is concentrated at the District, Municipal and Metropolitan levels - a further reflection of the situation that has been described already by this author as **local centralization**. It is noteworthy, though, that while the Administrators of the Assemblies were very worried about the control that central government bodies exercised over them, they themselves have not provided any noticeable opportunity for the decentralized sub-structures that they supervise to operate as required by law.

7.1.7 Regarding the requirement that local government officials must be accountable to the local representatives and the people, the Constitution of Ghana stipulates in Article 240 clauses d-e as follows:

'As far as practicable, persons in the service of local government shall be subject to the effective control of local authorities; 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'.

In spite of these provisions, the researcher did not find that local government officials were in any way accountable to their residents, nor were they under the control of the local populace. On the contrary, the former were in absolute control of every decision

of the Assembly as they also controlled everyone, including the local legislators – a situation which the researcher has described in this paper as **power reversal**. Among others, the studies found that local people participated only marginally in key decisions of the Assemblies such as the preparation of the Medium Term Development Plan as well as the formulation of the annual budget among other key decisions of the Assembly.

Although some of the local administrators had argued for the low participation of the people because local legislators were available to seek and protect the interests of their people, the study also found that even the claim of participation of local legislators in decision-making possessed more symbolic value than substance. While the Assembly members attended Sub-Committee, Executive Committee and General Assembly meetings, the study revealed that the decisions of the Assemblies that were actually implemented reflected more of the wishes of local Executives, Central and Regional bodies than the preferences of the former. These were made possible by the Executives who used government appointees and the Presiding Member, to get any decision approved by the General Assembly. This confirms the assertion by Crook (2003 in Cabral, 2011) that evidence from Nigeria, Ghana and elsewhere suggests that central governments may use decentralization to consolidate and extend ruling party power and influence at the local level through alliances with local elites. It was also a common practice in all the Assemblies that the administration carried out projects that neither were found in the development plan nor were covered by the budget.

Concerning accountability, the studies also found that the executives were neither transparent nor accountable to the local legislative body, much less to the local people. Contrary to the laws, the Presiding Members scarcely tabled audit reports for discussion

by the legislative body; the Public Relations and Complaints Committees of all the Assemblies were almost dysfunctional, as little is known about its existence and what they exist to do by members of the public. Besides the fact that the Public Procurement and Financial management laws were largely not respected, the studies also found that although the structures for the procurement of goods and services were in existence, most of the contracts of the Assemblies were awarded by the executives with little involvement of the legally mandated institutions. Some of the Assembly Members themselves did not know how contracts were awarded by their Assemblies since most of the contracts were not sent to the General Assemblies for approval. In some of the extreme cases, some Assembly members in all the study areas were not aware of the contractors and projects that were being executed in their own electoral areas. In their studies on other aspects of Ghana's decentralization titled: The legal regime and the compliance façade in public procurement in Ghana, Ibrahim et al (2017) observed:

'...on paper, the appropriate governance structures were in place to oversee procurement activities in the districts. Whilst this was instructive, the establishment of the committees and boards did not guarantee their functionality. Indeed, even though section 18 of the Act makes it mandatory for the tender committees to meet at least once every quarter, it was found that this provision was often disregarded'.

Among others, the lack of transparency and accountability by the executive arm of the Assemblies, coupled with the low level of participation of Assembly members in key decisions has not only created high levels of mistrust, tension and suspicions between these two key stakeholders at the centre of the local governments, but has also alienated the latter and for that matter the public square from the public. An Assembly member remarked:

'The Assembly has distanced itself from the people. They don't know us, and they don't know what we do'.

7.1.8 On the concerns of participants on the nation's decentralization, almost every participant that the researcher interacted with had the view that although the country

had very good laws on decentralization, the nation's decentralization was largely made up of more of talk than was real. From the local executives to Assembly members and members of the Unit Committees, all were of the view that both the central government and the Assemblies themselves were not working with the local government laws. Each one of them had therefore called for the need for everyone to do their part to enforce the provisions of the relevant laws ranging from accountability, participation and the rule of law.

One other common concerns of both the executive and elected members of all the Assemblies was about the control and interference on the part of central government in the affairs of local governments. In particular, they were highly unhappy with the way central government institutions use their power to appropriate for themselves the already meagre resources of the Assemblies for their benefit through the award of contracts and procurement of other services mostly at far more exorbitant costs to the Assemblies. They also expressed the hope that the practice would stop entirely or be reduced to the minimum.

The Assembly members also demonstrated high levels of discontentment and were highly concerned about the fact that they received no financial compensation for their services. They were even more demoralized about the inability of the Assemblies to refund back to them their travel expenses and sitting allowances as they are currently entitled to by law. They argued that since all the staff within the executive were paid including the MMDCEs and Members of Parliament, they were equally qualified to be paid for their services as the main link between the people and government.

Finally, it also emerged from the studies that majority of the participants were concerned about the mode of appointment of the MMDCEs. They were of the opinion that most of the problems currently being faced by the Assemblies had their origins in

the current practice where the President appointed MMDCEs. These, they claim, made the MMDCEs more of agents of central government working to serve the interests of central government and their agencies than for the pursuits of the local people.

7.2 General Conclusions and Policy Implications

In the foregoing studies, I have generally argued that Ghana's current decentralization system is, largely more an exercise of rhetorics and symbolisms, manifested more in the passage of one law after another, but doing very little to give practical effect to the already existing legal provisions and policies. As shown in the above, the Department of Education, Youth and Sports, the Department of Health and Agriculture still operate as deconcentrated bodies. Central government agents and bodies at regional and national levels continue to wield much power over the Assemblies, and hence took advantage to take important decisions for the latter including making deductions at source from the Assemblies allocated funds to pay for the cost of procurement of "unwanted" goods and services for the latter. Central bodies also implemented projects at the local levels directly, usually at relatively higher costs, which were charged to the accounts of the Assemblies. There were also little participation and involvement of the public in local decision-making as even Assembly members' participation and ownership of decisions were equally more symbolically relevant than of substance.

Worst still, the decentralized structures of the Assemblies did not function, thus further alienating the people from the public sphere and thereby preventing any opportunity for enhancing communicative rationality in the decisions of the Assembly. These situation prevailed largely as a result of the fact that the executives were not accountable to the local legislature nor to the public - a situation that was also facilitated by the fact the President, rather than the people, appointed the MMDCEs who are further empowered

by law by referring to them as *the representative of the President at the district level*. It may therefore not be a surprise to observe that instead of decentralization of power and decision making to the local people, to whom local executives were also required to be accountable, what currently prevails is that there is rather local centralization. This was caused by a reversal of power, where instead of the local legislature and the people, local executives rather wielded whatever power has been decentralized as they successfully dispossessed the former of their legal entitlement. However, the reversal of power and local centralization may have been less easy to achieve had central government shown much more disinterestedness of using power to appropriate the resources of decentralized bodies to serve various interests rather than the national. Although some have argued against deepening Ghana's decentralization on the grounds of national unity and sovereignty, evidence emerging from this study corresponds more with the Machiavellian conception of power as a means of seeking the subjective advantages of the key actors rather than the Hobbesian model which argues for centralized power for the purposes of national sovereignty.

The general effect of the above situation is that three decades after the implementation of the current decentralization system, a large majority of the people in both urban and rural areas are yet to see any meaningful impact of the Assemblies on their lives. These have further made District Assemblies unpopular in the ears of many Ghanaians. These suggestions notwithstanding, Ghanaians have generally demonstrated a need for an effective local government since the days of the colonial government. This zeal for decentralized governance gathered even more momentum immediately before and after the country gained political independence. To date, almost every regime - both civilian and military, who had ever ascended to the throne in Ghana, made some attempt, especially in the legal and policy realms, to transfer more power and other resources

from the centre to the countryside and neighbourhoods. But one may ask why have all these attempts at deepening decentralization not achieved the desired aims so far? I am of the view that, as shown in this study, central government bodies and individuals have several forms of gains to make from the existing power configurations. I call such benefits the dividends of power. It is therefore obvious that such beneficiaries of the existing power system would not easily let go the power. But why then were the various governments so quick to pass one law after another with the aim of deepening decentralization only to disregard the same laws passed by it sooner than later? The answer could be found in what Irvin Goffman called dramaturgical action in his *Presentation of Self in Everyday Life* (1956), where social actors engage themselves in impressions management to maintain particular positive or acceptable images of themselves to the front stage (outside world) but reversing to the real self at the back stage. In the same manner, the governments have shown no hesitation in the passage of the various laws - an act meant to portray a certain positive image to outsiders in the local and international stages, although they have almost no intention to act accordingly. Ayee referred to these whole decentralization exercises as '**illusory decentralization**' and also, as '**public relations hoax**'.

In the context of 'illusory' decentralization, the PNDC government and administration remained highly centralized with regions and districts still taking directives on practically every matter from Accra, the nation's capital. The fact that national budget resources were consistently kept in the hands (even if budget law had been followed) lends credence to the idea of public relations hoax' Ayee (1996 in Ayee 1997, p.51).

The role of the donor community in perpetuating the anomaly may also come to the spotlight. This is because besides the various support being offered by the International Community to the Government of Ghana in support of decentralization, District Assemblies in Ghana could also be receiving rewards for actually doing very little to

make decentralization real through the District Development Fund - a donor community initiative that currently provides funds to Ghana's local governments having allegedly demonstrated good performance in good local government practices following an assessment carried out by contracted consultants.

The fact that only very few people benefit from the current order, and that the existing situation could not be compatible with the development aspirations of the masses as expressly captured in the laws of Ghana should provide the basis for reformers including academia, civil society, the Ghanaian public and donor community to take all necessary steps to make local government in Ghana a reality.

7.3 Strengths and Limitations of the study.

One of the major strengths of this study lies in the fact that the researcher got as close as possible to the actual subjects and events that were being studied and also, at their natural setting. All those who provided information were people who had relatively longer years of direct experience in local government and as such, had the dearth of knowledge about the operations of the local government system. The researcher also relied on multiple sources of information, thereby ascertain the reliability of each source of information from other sources. The sources included Assembly members, Presiding Members, Chairpersons of the Assembly Sub-committees, key Executive members of the Assemblies and leaders of all the decentralized structures including the Town, Zonal, Area Councils and Unit Committees. The method of data gathering equally provided opportunity for participants to share their own personal knowledge and experience of the system being studied. By choosing one each of the Metropolitan, Municipal and District Assemblies in the studies, the researcher had ensured that each of the types of local government currently operational in Ghana was represented in order to improve the level of validity of generalization of the results.

These notwithstanding, a major limitation of the study is that all the case studies were limited to the southern sector of Ghana where there are much more intense economic activities and opportunities than for example, the northern sector. It is therefore expected that local governments in this part of the country could attract personnel that are more qualified and also raise higher internally generated funds than those elsewhere.

7.4 Contribution of the Study to knowledge

The study is not only original, but also, it contributes to knowledge and scholarship in a number of ways. Firstly, the originality and contribution of the current study to scholarship may be anchored in the fact that only few previous studies covered the phenomena of the study both in terms of geographical scope and location of the case studies. As indicated in the problem statement, although various scholars have studied several aspects of Ghana's decentralization, there have been few studies on the current state of Ghana's Administrative Decentralization that covered the Assemblies through all the sub-structures down to the Unit Committees. Even where there have been studies about Ghana's Decentralization, only the Assemblies were studied, leaving out almost all the other sub-structures. Also, most of the previous studies were based on secondary data and single case studies, thus limiting the extent of the generalization of findings. On the other hand, this study made an attempt to include the entire spectrum of Ghana's Decentralized bodies including one District, Municipal and Metropolitan Assembly to enhance both representativeness as well as generalization of findings. Furthermore, there have also been few studies that aimed at finding out the congruence of national policy for decentralized governance in Ghana and the actual implementation of those policies. Again, the author attempted to provide explanation of the mechanisms of control of decentralized bodies by central organs as well as the motives driving the controls. Lastly but not the least, the identification and description of the concentration

of power and resources at the local Assemblies, which the author describes as *local centralization* is also a novelty in the literature on decentralization. In the nutshell, the study has not only added value to the existing literature on decentralization, but has also contributed knowledge to the existing stock of scholarship on the subject.

7.5 Recommendations

For improving the nation's administrative decentralization, the researcher proposes the following policy reforms as indicated below.

1. Firstly, it is recommended that the constitutional provision that confers the power to appoint MMDCEs on the President should be amended to make room for the local people to vote for and elect their own MMDCEs. Besides the effect of making MMDCEs accountable to the local people, such reforms may also weaken the strength of the power that central government agencies currently wield over the former, which the latter has been exploiting for various ends. It is also expected that these may produce more empowered Assemblies with less interferences from central government.

2. Secondly, the researcher recommends the review of the constitutional provision enabling the appointment of 30% government appointees into the Assemblies. While this may reduce unnecessary partisanship in the Assemblies, the quality of decisions may also be improved through more objective discussions of issues at the Assemblies than pertains currently. The original idea behind the appointment of 30% of Assembly members was to fill the professional and skills gap that existed among the majority of the elected Assembly members. However, the existing practice is that the appointment of this category of Assembly members are made by local political party operatives who also appoint only their party members, most of whom have the same or even lower professional competences than that of the elected Assembly Members.

3. It is also recommended that the total amount of money set aside as DACF should be increased from the current 7.5% to 15%. If the law is reviewed to make room for such an increase, it is hoped that these should make more funds available to the Assemblies to enable them carry out more development projects and meet their costs. Additionally, one would suggest that the share of District and Municipal Assemblies' DACF must be increased far beyond the current levels while those of the Metropolitan Assemblies should be reduced if not completely stopped. This is because the Metropolitan Assemblies are able to raise more internally generated funds since they are located in more industrial and commercial centres.

4. Having increased the quantum of DACF allocations to the Assemblies, it is further recommended that MMDAs release 10% of their total receivables in addition to the ceded revenue to support their sub-structures to make them more functional and effective.

5. To improve their financial position, the Assemblies should also privatize the collection of the internally generated funds after they have prepared a database of all landed property, service providers, business enterprises and traders within their respective jurisdictions. The database would enable them determine appropriate levels of targets that they may expect from the revenue collection contractors.

6. Also, the Assemblies may consider the introduction of special Matching Fund to provide, at least 50% support, for communities that initiate its own projects. The quantum of the funds raised from such community initiatives should be recorded for the Assemblies as part of its revenue to enable it qualify for more funds from the DACF.

7. To make the above recommendations more effective, it is equally recommended that central government and their agencies desist from the current practice of deducting

huge sums of money at source from the DACF allocations of the Assemblies, and also stop awarding contracts vicariously for the latter without the involvement of the Assemblies. The combined effects of an increase in the quantum of the DACF and a cessation of deductions at source could significantly improve the financial capacity of the Assemblies.

8. Also, the role of Central government and the Regional Coordinating Councils within the decentralized system must be reviewed to include, providing vision and goal setting for the Assemblies, monitoring and evaluation and sanctioning; while the Assemblies would should focus on mobilization, planning, implementation, monitoring, and evaluation.

9. To improve the capacity of Assembly Members to be able to ensure the adherence to the law at the Assembly, it is again recommended that all Assembly Members and Presiding Members be taken through more extended training programmes by the Local Government Service. The Training modules should aim at equipping Assembly Members with knowledge of the Standing Orders, the various acts of Parliament and Policies on Ghana's local government and decentralization including planning, budgeting as well as Financial Management and Administration among others. It is expected that if Assembly Members and Presiding Members are well informed about the standing orders and the relevant acts, they could be in a better position to oversee the executive and thus ensure better local accountability.

10. Furthermore, it is recommended that the elected Assembly members be paid some monthly allowances or salaries by the state. Such a reform would not only make the position of the Assembly member more competitive to attract more competent people

to serve in the Assemblies, but it would also motivate them to put in their best for the benefit of the local people.

11. It is again recommended that the Local Government Service, possibly working in partnership with relevant Non-Governmental Organizations, conduct an annual Independent Compliance and Performance Audits of all the Assemblies for the purpose of assessing the extent to which the latter had complied with all laws ranging from citizens' participation, procurement, planning and budgeting and local accountability etc. Participants in such assessments should include all elected Assembly Members, Presiding Members, traditional leaders, leaders of local civil society and the decentralized structures. A copy of the report of such an audit should be tabled at a special meeting of the Assembly called for discussion of findings by all key stakeholders with recommendations of appropriate sanctions. Such a meeting should also be used for the discussion of all other audited reports of the Assembly.

12. It is being proposed further that Heads of all departments of the Assemblies should be made non-voting members of the Executive Committees of the Assemblies, where it should also be mandatory for them to submit reports and answer questions relating to their departments.

13. Central Government together with the Ministry of Local Government and Rural Development and the Regional Coordinating Councils must initiate joint measures to ensure that all departments of the Assemblies, including Health, Education, Agriculture and all others operate as such in accordance with the current laws.

14. Finally, the researcher recommends that the Presiding Member of each of the Assemblies sit on the high table alone and chair the General Assembly meeting without any interference from the MMDCE's and the Coordinating Directors who always sat

on the high table to the left and right hand side of the Presiding Member. By law, the Chair of the General Assembly is the Presiding Member.

Future Research Agenda

15. Although the studies made an attempt to cover the full range of the current Assemblies, that is, one each of the District, Municipal and Metropolitan Assemblies, further studies may be needed to cover MMDA's in the middle and northern belts of the country. The differences in economic, social and geographic conditions among the different sectors may produce additional or different results.

16. Finally, it is further recommended that studies about the perception of the public regarding the performance and how they view the Assemblies be carried out. Such a study may reveal the popularity or otherwise about the Assemblies to the public.

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APPENDIX

Appendix 3. 1 Source of Data, Research Participants and Methods of Data Collection at Tema Metropolitan Assembly.

Source of Data	Description of Respondents	No of Participants	Data Collection Method.
Metropolitan Administration	Metropolitan Coordinating Director, MCE, Metropolitan Planning Officer, Human Resources Officer, Audit Officer, Legal Officer, Local Government Inspector, Directors of Sub Metropolitan District Councils	8	Semi Structured Open-ended Interview, Observation, Review of Minutes Books, Review of Reports& Documents, Participant Observation
Metropolitan Legislature	Presiding Member Assembly Members who had served for at least five years	1 8	Semi Structured Open ended Interview, Observation
Sub-Committees (Chair Persons)	Finance & Administration, Devt. Planning, Social Services, Works, Justice & Security	6	Semi Structured Open ended Interview, Review of Minutes Book
Decentralized Departments	Budget and Rating, Works, Finance, Education, Youth and Sports, Health Agriculture	6	Semi Structured Open ended Interview

Sub Metropolitan District Assembly	Directors Other Members	3	Semi Structured Open Ended Interview, Focused Group Discursions. Review of Minutes Book
Unit Committees	Chairs Persons , Secretaries	20	Focused Group Discursions, Semi Structured Open ended Interview, Review of Minutes Book.

Appendix 3. 2 Source of Data, Research participants and Methods of Data collection at Yilo Krobo Municipal

Source of Data	Description of Respondents	No of Participants	Data Collection Method.
Municipal Administration	Municipal Coordinating Director, Municipal Planning Officer, Human Resources Officer, Audit Officer, Local Government Inspector,	8	Semi Structured Open-ended Interview, Observation, Review of Minutes Books, Review of Reports& Documents, Observation
Subcommittee(Chair Persons)	Finance &Administration ,Devt. Planning, Social Services, Works, Justice & Security	5	Open ended Interview, Review of Minutes Book
Municipal Legislature	Presiding Member Assembly Members who had served for at least five years.	1 10	Semi Structured Open ended Interviews, Observation,
Decentralized Departments	Budget and Rating, Works, Finance, Education, Youth and Sports, Health Agriculture	6	Semi Structured Open ended Interview
Urban/ Town and Area Councils	Chairperson/ Secretary	10	Semi Structured Open Ended Interview,

			Focused Group Discursions. Review of Minutes Book
Unit Committees	Chairs Persons ,Secretaries	20	Focused Group Discursions, Semi Structured Interview, Review of Minutes Book.

Appendix 3. 3 Source of Data, number of Research participants and Methods of Data collection at Gomoa West District Assembly.

Unit of Analysis	Description of Respondents	No of Participants	Data Collection Method.
District Administration	District Coordinating Director, District Chief Executive, District Planning Officer, Human Resources Officer, Audit Officer, Local Government Inspector	8	Semi-structured Interview, Review of Minutes Books, Review of Reports & Observation
Sub-Committees Chair Persons	Finance & Administration , Development Planning, Social Services, Works, Justice & Security	5	Semi Structured Interview, Review of Minutes Book
District Legislature	Presiding Member Assembly Members who had served for more than five years.	1 10	Semi Structured Interview, and Observation
Decentralized Departments	Budget and Rating, Works, Finance, Education, Youth and Sports, Health Agriculture	6	Semi Structured Interview
Town/Urban/Area Councils	Chairpersons, Secretaries	12	Semi Structured Interview, Focused Group Discursions. Review of Minutes Book

Unit Committees	Chairs Persons ,Secretaries	20	Focused Group Discursions, Semi Structured Interview, Review of Minutes Book.
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Appendix 5. 1 A Chart showing all District, Municipal and Metropolitan Assemblies in Ghana as of July, 2017



Appendix 6.1 Major Sources of Finance for the Tema Metropolitan Assembly, 2013 - 2015

	SOURCE OF FUND	AMOUNT IN CEDIS	PERCENT
2015	DACF	3,494,326.45	10%
	Other GOG Funds	6,710,610.48	20%
	Donor Sources	4,346,559.56	13%
	Internally Generated Funds	19,052,424.48	56.7%
TOTAL	ALL SOURCES	33,603,920.97	100%
2014	DACF	1,406,010.71	5.5%
	Other GOG Sources	7,243,018.82	28.7%
	Donor Sources	2,832,758.81	11.2%
	Internally Generated Funds	13,748,336.80	54.6%
TOTAL		25,230,124.56	100%
2013	DACF	1,016,982.23	4.5%
	Other GOG Sources	6, 875,831.11	30%
	Donor Sources	3,455,552.22	15%
	Internally Generated Funds	11,556,365.65	50.5%
TOTAL	ALL SOURCES	22,904,731.21	100%

Appendix 6. 2 Major Sources of Finance for the Yilo Krobo Municipal Assembly, 2013 – 2015.

YEAR	SOURCE OF FUND	AMOUNT IN CEDIS	PERCENT
2015	DACF	1,951,230.87	55.4
	Other GOG Funds	339,063.47	9.6
	Donor Sources	-	-
	Internally Generated Funds	1,238,716.95	35
TOTAL	ALL SOURCES	3,529,010.99	100
2014	DACF	900,118.42	36
	Other GOG Sources	516,688.50	21
	Donor Sources	-	-
	Internally Generated Funds	1,061,454.11	43
TOTAL		2,478,261.03	100
2013	DACF	752,195.20	37
	Other GOG Sources	374,849.00	18
	Donor Sources	-	-
	Internally Generated Funds	924,594.16	45
TOTAL	ALL SOURCES	2,051,538.36	100

Appendix 6. 3 Major Sources of Finance for Gomoa West District Assembly, 2013 – 2015

YEAR	SOURCE OF FUND	AMOUNT IN CEDIS	PERCENT
2016	DACF	2,663,499.66	
	Internally Generated Funds	320,094.25	
TOTAL			
2015	DACF	1,927,095.55	62%
	Other GOG Funds(GSFP)	396,165.85	13%
	- - - (HIPC)	25,000	2%
	Donor Sources(DDF)	378,665	12%
	Internally Generated Funds	337,226.97	11 %
TOTAL	ALL SOURCES	3, 064,153.37	100
2014	DACF	562,208.65	19.7%
	Other GOG Sources(GSFP)	1,182,247.13	41.3%
	- - - (HPIC)	133,637	4.7%
	Donor Sources(DDF)	689,685.46	24%
	Internally Generated Funds	291,612.80	10%
TOTAL		2, 859, 391	100
2013	DACF	552,538.45	30%
	Other GOG Sources(GSFP)	745,122.15	41%
	- - - (HIPC)	25, 474	2%
	Donor Sources(DDF)	301,183.00	17%
	Internally Generated Funds	182,577.51	10%
TOTAL	ALL SOURCES	1, 806, 895	100

Appendix 6. 4 Number of Key Staff of some Departments of the Tema Metropolitan Assembly and their Qualifications

Key Staff and Name of Department	Number of Staff	Highest Qualification	Other Comments
Metropolitan Chief Executive	1	MBA	Has 4years experience in the service
Metropolitan Coordinating Director	1	MPA	Over 16 years of Service
Deputy Metropolitan Coordinating Director	1	MPA	Over 13 years of Service experience
Development Planning Officer	1	MPA	
Deputy Development Planning Officer	1	BA	
Finance Department	96	MBA; Chattered Accountant	
Budget and Rating	1	MBA	
Disaster Mgt. and Prevention		MBA, Human Resource Mgt.	
Urban Roads Department			
Transport Department			
Trade and Industry			
Department of Works	43	MSc	
Social Welfare and Community Development.			
Physical Planning	6		
Waste Management	10	MPH	
Agriculture	7	MSc.	
Health	10	MSc; MPharm; MPH	
Education, Youth & Sports			
Trade and Industry			
Legal Department	6	LLB	

Appendix 6. 5 Number of Key Staff of Some Departments of the Yilo Krobo Municipal Assembly and their Qualifications

Key Staff and Name of Department	Number of Staff	Highest Qualification	Other Comments
Municipal Chief Executive	1	-	Qualification not provided
Municipal Coordinating Director	1	MBA, Public Administration	Twenty six(26)years of Experience
Deputy Municipal Coordinating Director	1	MBA, Public Administration	Ten(10)years of Experience
Development Planning Officer	1	MBA, Public Administration	
Deputy Development Planning Officer	1	BSc. in Development Planning	
Finance Department	8	Chartered Accountant	
Disaster Prevention Department			
Transport Department			
Roads Department			
Waste Management Department			
Trade and Industry Department			
Works Department	9	BSc.	
Social Protection and Community Development.			
Physical Planning Department	7	BSc.	
Natural Resources Conservation, Forestry, Game and Wildlife Department	17	Diploma, Public Health	
Agriculture Department	7	MPhil, in Agriculture	
Education, Youth and Sports Department	47	MPhil	
Municipal Health Department	N/A	MSc	

Appendix 6. 6 Number of Key Staff of Some Departments of the Yilo Krobo Municipal Assembly and their Qualifications

Key Staff and Name of Department	Number of Staff	Highest Qualification	Other Comments
Municipal Chief Executive	1	-	Qualification not provided
Municipal Coordinating Director	1	MBA, Public Administration	Twenty six(26)years of Experience
Deputy Municipal Coordinating Director	1	MBA, Public Administration	Ten(10)years of Experience
Development Planning Officer	1	MBA, Public Administration	
Deputy Development Planning Officer	1	BSc. in Development Planning	
Finance Department	8	Chartered Accountant	
Disaster Prevention Department			
Transport Department			
Roads Department			
Waste Management Department			
Trade and Industry Department			
Works Department	9	BSc.	
Social Protection and Community Development.			
Physical Planning Department	7	BSc.	
Natural Resources Conservation, Forestry, Game and Wildlife Department	17	Diploma, Public Health	
Agriculture Department	7	MPhil, in Agriculture	
Education, Youth and Sports Department	47	MPhil	
Municipal Health Department		MSc	

Appendix 3. 4 -3. 15 Interview Guide for Data Collection

Appendix 3.4

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

*The Rhetoric and Reality of Ghana's Administrative Decentralization and Local
Accountability Programme: Case Study of Yilo Krobo Municipal, Tema
Metropolitan and Gomoa West District Assemblies.*

**INTERVIEW GUIDE FOR ADMINISTRATIVE DECENTRALIZATION
(Human Resource Situation) DCD & Human Resources Dept.**

**Staff Situation at the General Administration Department and Other
Departments**

1. Name of
Assembly.....

2. Date of Incorporation of incorporation of Assembly

3. Name of MMDCE
.....

4. Highest Qualifications of Chief Executive

a).....

.

b).....

.

c).....

....

5. Years of Experience as Chief
Executive.....

6. No of Coordinating Directors at
Post.....

b) Highest Qualification(S) of
DCD.....

Highest Qualification(s) of
DDCD.....

- 7) No. of Development Planning Officers

- a) Professional and Highest Qualification of Development Planning Officer.....
- b) Professional and Highest Qualification of Deputy Development Planning Officer.
- 8 .How the current Development Plans (including Settlement Master Plans for Communities) were prepared
9. Extent of Implementation of Development Plan
10. Who prepared the District Development Plan
11. Availability of Monitoring and Evaluation Plan for Plan Implementation
12. Availability of Clear indicators for the measurement of Performance
- 13.Challenges affecting Plan Preparation and Implementation
- 14.No. of and Qualification of key Human Resources Unit Staff?
- 15.No of staff at the Estate office
- 16.Highest Qualifications of staff of Estate Office
- 17.No of Staff at the Procurement and Logistics Office
- 18.Gaps in the Staff situation in the logistics office
- 19.No of Staff at the Accounts Office.....
- 20.Highest Qualification(s) of Staff at the Accounts office.....
- 21.Gaps in the Staff situation of the Accounts Department.....
- 22.Highest Qualification of staff at the Stores Unit

- 25.Gaps in the Staff situation of the stores Unit.....
- 26.No of Staff in the Finance Department.....
- 27.Highest Qualification(s) of Staff at Finance Office.....

- 28.Gaps in the Staff situation of the Finance Department.....
- 29.Total Transfers received in each of the past 3 years.....
- 30.Total IGF collected in each of the last 3 years.....
- 31.Challenges facing Financing of the Assembly.....
- 32.No of Staff at the Education, Youth and Sports Department.....
- 33.Highest Qualification(s) of key Staff at the Department of Education, Youth and Sports
- 34.Gaps in the Staff situation of the Department of Education , Youth and Sports
- 35.No of Administrative staff at the Department of Health
- 36.Highest Qualification(s) of relevant Staff at the Department of Health
- 37.Gaps in the Staff situation of the Department of Health
- 38.No of staff at the Environmental Health Unit and their Qualifications
- 39.Highest Qualifications of key staff at the environmental health Unit
- 40.Any gaps in the Staff situation of the environmental health Unit
- 41.No of staff at the Agriculture department
- 42.Highest qualifications of Key Staff at agric department
- 42.Any gaps in the staff strength of the Department of Agric
- 44.Staff strength at the Department at the Department of Physical Planning
- 45.Gaps in the staff Strength at the Department of Physical Planning department
- 46.Staff strength of the department works
- 47.Highest Qualification of staff at the department of works
- 48.Highest Qualification of key staff at the department of Budget and rating
- 49.Staff strength and Highest Qualification of key staff at the Legal Department
- 60.Key human resources challenges facing the Assembly

61. major concerns about the nation's Decentralization

Appendix 3.5

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

*The Rhetoric and Reality of Ghana's Administrative Decentralization and Local
Accountability Programme: Case Study of Yilo Krobo Municipal, Tema
Mertopolitan and Gomoa West District Assemblies.*

INTERVIEW GUIDE FOR ADMINISTRATIVE DECENTRALIZATION

(DCD, PM and Assembly Members)

Capacity to make and Implement relevant Bye laws.

- 1.Does the Assembly has power to make bye-laws
- 2.Examples of bye -laws made by the Assembly.....
- 3.Has the Assembly made bye - laws for the following sectors :.....
- 4.Environment and sanitation.....
- 5.Building Regulations and land management
- 6.Traffic management.....
- 7.Criminal offences.....
- 8.Other bye laws which the Assembly has passed.....
- 9.Copy of Bye - Laws.....
- 10.The State of Implementation of the Bye - laws.....
11. Challenges, if any, regarding the making and Implementation of Bye - laws
.....

Appendix 3.6

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

.INTERVIEW GUIDE FOR ADMINISTRATIVE DECENTRALIZATION

Coordination of Programmes(DCD & Heads of Department)

Integration of Assembly Programmes & Control over Human Resource

- 1.Does Assembly Plan and Budget together with departments
- 2.Does the Assembly has control over the budget of decentralized departments ?.
- 3.Which other areas of the processes of decentralized departments does the Assembly has control over?
- 4.Identify areas of decentralized department's business that the Assembly has no control over.
- 5.The role Departments have in the Implementation of Assembly's Programmes
- 6.Role of Assembly in the appointment of staff of the Assembly including decentralized departments ?
- 7.Role of the Assembly in determining the conditions of service of Staff ?
- 8.Role of the Assembly in the supervision, evaluation or assessment of performance of all relevant staff ?
- 9.Role of the Assembly in the discipline of underperforming staff ?
- 10.Role of the Assembly in determining the training needs of staff ?

Appendix 3.7

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

**INTERVIEW GUIDE FOR ADMINISTRATIVE DECENTRALIZATION
(Works Department , Procurement Unit & Chair of Works Sub - Committee)**

Discretion over Procurement

No. and highest Qualifications of key Officers

Does the Assembly have discretion to enter into the following contracts :

a)Service Contracts ? Yes..... No.....

b)Management Contracts ? Yes..... No.....

c)Full and Partial Ownership ? Yes..... No.....

d) Joint Ownership ? Yes..... No.....

At what point or contract levels does central government come into the contract management process

What type of purchases or contracts does the central government often make on behalf of the Assembly?

Who participates in the following Contract processes ?

a) Identification of project and service needs of the Communities.....

b)Design and Specification of contracts.....

c)Technical and Financial Appraisal of Bids.....

d)Appraisal of Options of bids.....

e)selection of Suppliers.....

f) Award of Contracts.....

Do contractors have any right of appeal , and if so who seats in the appeal ?

How are contracts advertised

Role of Assembly members in the award of contracts ?.....

Challenges faced in the Contract award and Management process.....

Appendix 3.8

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Decentralization Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

(BUDGET AND RATING UNIT)

1. Highest Qualification of and No. of staff of key staff in the department
2. Does the Assembly has control over the budget of all decentralized departments ?
3. What percentage of the Assembly's transfers (Common Fund etc.) are earmarked for specific purposes ?
4. To what extent does the Assembly's budget capture projects in the Development Plan
5. How often does the Assembly implement projects that were not found in the Budget
6. Under what circumstances does the Assembly carry out projects that did not feature in the budget and also in the development ?
7. How does the Assembly get the people to be involved in the budgeting process
8. Who are the main participants in the budget making and implementation process ?
9. What are the major challenges affecting budgeting and the implementation of the budget for the Assembly ?
10. What challenges do you find with the nation's decentralization, including those affecting budgeting ?
11. Main sources of finance to Assembly and total amounts from 2012 - 2015 (Govt of Ghana, IGF, DACF , GETFUND, DDF, others)
12. What are the major challenges facing Ghana's decentralization, including those affecting budgeting.
13. Copy of Composite Budgets (2012 - 2015)

Appendix 3.9

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Decentralization Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

INTERVIEW GUIDE FOR FISCAL DECENTRALIZATION(DISTRICT FINANCE OFFICE)

No. and qualifications of key officers at the **Finance** Dept

List and total amounts of major sources of revenue for the Assembly from 2012 - 2015

- 1.IGF.....
-
- a.Fees.....
-b.Licenses.....
-c.Taxes.....
-d.BasicRates.....
-2.DACF.....
-
- 3.Govt of Ghana.....
- 4.DDF.....
-
- 5.GETFUND.....
-
- 6.Other Donors.....
- 7.Other Sources..... GOG
- 8.Other external transfers.....

Copy of fee fixing resolution or gazetted taxes etc.

Existence of a database of rateable residents, property and businesses

Average Ratio (or %) of specific purpose revenues or transfers of total central government transfers

Average Local share (%) of total fiscal expenditure

Does Assembly maintains Bank Account in the district

Does Assembly make transfers of ceded revenue to the sub structures ?

How the Assembly publishes its Statement of accounts ?

Key Challenges facing the finances of the Assembly and finance department.

Key concerns with the nation's Decentralization

Appendix 3.10

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

*The Rhetoric and Reality of Ghana's Administrative Decentralization and Local
Accountability Programme: Case Study of Yilo Krobo Municipal, Tema
Mertopolitan and Gomoa West District Assemblies.*

INTERVIEW GUIDE FOR ACCOUNTABILITY

(Audit Unit)

No., and highest Qualification of staff at the **Audit** Unit

Types of audit often conducted for the Assembly ?

Who conducts each of the the above audits ?

Those entitled to have access to the audit reports of the Assembly

Does the general Assembly have access to the audit report for discussion

Who the members of the Audit Report Implementation Committee are

Does the Assembly Implement the audit report to the satisfaction of your Unit

Does the Internal Auditor submit quarterly audit report to the Presiding Member ?

Does the Internal Auditor present periodic Reports to the RCC and DCE ?

Does the Administration provide sufficient support and cooperation for the Audit staff
?

Key Challenges facing the audit Unit

Key challenges facing Ghana's decentralization including those affecting your Unit

Appendix 3.11

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

INTERVIEW GUIDE FOR ACCOUNTABILITY OF THE ASSEMBLY TO THE PUBLIC

(Assembly Members, Local Government Inspectors, Leaders of CBO's and NGO's Presiding Members)

Assembly Administrators often meet with Community to share information and feed back

Assembly's Public Relations and Complaints Committee is active and often meet with Citizens

No. of meetings organized by Public Relations and Complaints Committee for the past one year

Existence of formal processes and platforms for citizens to send ideas, concerns and views to Assembly

Assembly Members often meet with their electorates for debriefing , feedback and information

Whether the Assembly provides adequate information about projects being carried out in communities to the people.

The general Assembly has access to the audit report for discursion

Who the members of the Audit Report Implementation Committee are and whether their work is satisfactory

Does the Assembly Implement the audit report to your satisfaction

Does the Internal Auditor submit quarterly audit report to the Presiding Member ?

Does the Internal Auditor present periodic Reports to the RCC and DCE ?

Does the Administration provide sufficient support and cooperation for the Audit staff ?

Does Questions time exist for Assembly Members to ask questions on issues affecting their areas

Are contract and procurement processes transparent to your satisfaction

Are all service providers given fair and equal opportunity to compete for projects to be awarded on contract ?

How does Assembly advertise contracts to be awarded ?

Does Assembly engage with communities to provide explanations to them about their key concerns or matters affecting them ?

Does Administration provide reports to Assembly explaining the basis for the award of contracts to particular contractors ?

Appendix 3.12

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

INTERVIEW GUIDE FOR STATE OF AREA/TOWN/URBAN/ZONAL COUNCILS

(DCD's , Assembly Members and Area /Town/Zonal /Urban Council Secretaries and Chairpersons)

Name of Council

When the Council(s) were inaugurated

Office for Councillors to do business

All Councils have their subcommittees in place and were also very active

Knowledge by members of functions of the Council

Minutes of Subcommittees' meetings

Council has a secretary who was appointed by the Assembly

The Secretary Submits periodic reports to the Assembly

The Assembly transfers ceded revenue to the Council

The Councils have records of rateable persons and property in their area

The Councils play active role in the collection of revenue for the Assembly

The Councils played active role in the naming of streets

List of activities carried out by Council in the last two years

The councils organize regular meetings

Copies of records of minutes of the Councils

Councils have Bank Accounts

Councils have accounts books in which all transactions were recorded

The Councils have Short and Medium term development plans in place for the development of their areas

Type of training received by members, if any

Challenges facing the operations of the Councils

Key concerns about the Nation's Decentralization.

Appendix 3.13

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

*The Rhetoric and Reality of Ghana's Administrative Decentralization and Local
Accountability Programme: Case Study of Yilo Krobo Municipal, Tema
Mertopolitan and Gomoa West District Assemblies.*

INTERVIEW GUIDE FOR ASSESSMENT OF UNIT COMMITTEES

**(Assembly Members, Members, Chairpersons and Secretaries of Unit
Committees)**

No. of Persons in Unit Committee

Status of inauguration of Unit Committees

Knowledge of the functions of the Unit Committee by members

Has Committee Members received training about the role etc.

Type of training and who did it, if any

Frequency of meetings of Unit Committee

Minutes of proof of meetings of the Unit Committee

List of activities carried out by the Unit

A Copy of the register of births and deaths in the district

Activities of Unit Committees in the Community

The Unit Committees collect various taxes for the Council and or Assembly

Main Challenges confronting the Unit Committee in its operations

Key Concerns about the Nation's Decentralization

Appendix 3.14

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

INTERVIEW GUIDE FOR DEPARTMENT OF EDUCATION, YOUTH AND SPORTS (ADMINISTRATIVE DECENTRALIZATION)

No. of Staff and Qualifications of key officers at the Education, Youth and Sports Dept.

Are all your activities, projects and programmes integrated into the Medium Term Development Plan of the Assembly ?

Is your full annual budget also captured into the budget of the Assembly ?

Role of the Department in the formulation of education, youth and sports policy for the district ?

Does the Department regularly attend the General Assembly Meetings ?

Does the Department attend the Assembly's Subcommittee meetings ?

The Role of the Department in the implementation of youth, sports and education policy for the District ?

Does the department play any role in the appointments, discipline , transfer and granting of study leave for qualified teachers?

Role of Communities in the Management of Schools

What role the department play in the provision of school infrastructure in the district

What role communities play in the formulation and implementation of policies for the sector

The role of Communities in the discipline, transfer , posting and supervision of teachers

Any formal platform in existence for Community/Departmental Interaction to discuss matters affecting education , youth and sports ?

In what areas of the department business does the central government or regional level get involved

Your thoughts about how well decentralization is working well in your department

If not, what are some of the Challenges with the decentralization that you have observed ?

Key Challenges facing the Department

Appendix 3.15

DEPARTMENT OF SOCIOLOGY

UNIVERSITY OF GHANA

The Rhetoric and Reality of Ghana's Administrative Decentralization and Local Accountability Programme: Case Study of Yilo Krobo Municipal, Tema Metropolitan and Gomoa West District Assemblies.

INTERVIEW GUIDE FOR DEPARTMENT OF HEALTH

No. of Staff and Qualifications of key Officers of the Department

Does the department take part in the formulation and implementation of agric policy for the District.

Role the department play in the provision of Health Centres and facilities

Are all your activities, projects and programmes integrated into the Medium Term Development Plan of the Assembly ?

Is your full annual budget also captured into the budget of the Assembly ?

Does the department play any role in the appointments, discipline , transfer of staff ?

The Role played by the Assembly in the appointment, discipline, posting , and transfers of staff ?

Any role of department in policies regarding sanitation , health, public lavatories, burial etc. ?

Role communities play in the formulation and implementation of policies for the sector ?

Any formal platform in existence for Community/Departmental Interaction to discuss matters affecting health in the District?

In what areas of the department business does the central government or regional level get involved ?

How often does your department submit reports to the Assembly?

Do you think decentralization is working well in the health sector?

Any Challenges with the decentralization that you have observed ?

Key Challenges facing the operations of the Department

Any major concerns regarding the Nation's Decentralization ?

**Appendix 1- 7.
ACTION PLAN FOR THE STUDY**

No	PERIOD ACTIVITY	YEAR																					BUDGET(GH¢)
		2015						2016						2017									
		Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	
1.	Submit a List of Major Literature to be used			■																			55
2.	Submit a Research Proposal (10-15) pages			■																			55
3.	Submit Instruments for Review				■																		40
4.	Data Collection Phase					■	■	■	■	■	■												8000
5.	Submit Field Data Sets										■												100
6.	Proceed to Analyze the Data											■	■	■	■								1000
7.	Writing Phase														■	■	■						200
	a) Prepare a Table of Contents of Chapters																	■					100
	b) Present Chapters 1 and 2 (introduction and literature review)																		■				50
	c) Present Remaining Chapters esp. Findings																			■			50
	d) Present the Concluding (chapters)																			■			50
8.	Print First Draft Copy of Thesis																				■		100
9.	Print Final Copy of Thesis																					■	200
TOTAL COST OF ACTIVITIES																							GH¢10000

AUGUST 2015 – MARCH 2017

