LOCAL GOVERNANCE CALL

SCOPING REPORT-
POLITICAL ECONOMY ANALYSIS OF DECENTRALISATION
AND LOCAL GOVERNANCE IN GHANA

**STAR GHANA
FOUNDATION**

BACKGROUND AND PURPOSE OF THE STUDY

The objective of the STAR-Ghana Programme is to support the development of a civil society and citizenry capable of influencing change to lead to improved inclusive access to high quality, accountable service delivery in Ghana. The second phase has adopted an approach that will support the creation, utilization and institutionalization of spaces for collective civil society engagement as a means of increasing accountability and responsiveness of the executive at both local and national levels.

The second phase has adopted a four-(4) pronged approach:
- Convening a broad range of stakeholders for dialogue to support the identification of opportunities and critical entry points for action and engagement
- Catalysing change through working jointly with new and innovative strategic partners
- Coordinating with a broad cross section of actors, promoting joint influencing and actions amongst partners and
- Learning from past and present experiences and their effective application throughout the process of implementation.

The political economy analysis (PEA) conducted in the first phase of the Progamme pointed to inclusive and responsive local governance as being key to achieving improved, inclusive and sustainable access to quality public goods and services for all citizens. The Democratic Governance Call issued under STAR 1 provided insights on possibilities for action (as indicated in Appendix 1).

STAR II's focus is on increasing accountability and responsiveness of public duty-bearers at both the national and local levels; this requires further scoping of the effectiveness of the decentralization process and the state of the assembly system. This scoping is an opportunity to follow up on the insights that emerged and to identify the possibilities for influencing and supporting citizens' action to improve inclusive access to high quality, accountable and responsive service delivery. Therefore, the paper should provide a broad picture of the current stage of Ghana's decentralization efforts, the systemic issues, possible entry points for Civil Society and the application points and a schedule for pursuing the 'Convening, Catalysing, Coordinating and Learning' agenda.

The purpose of the study is two-fold: to
- o Provide an overview of the political economy context of local governance reforms in Ghana, with particular focus on decentralization

- o Identify issues and potential entry points for coordinated civil society engagements (inclusive of all voices) with relevant stakeholders so as to contribute to achieving increased accountability and responsiveness of government to citizens' issues and voices at community and district levels.

METHODOLOGY

The overall goal of the political economy analysis (PEA) is to understand the political, economic and social processes that have impacted on the success or failure of the decentralization process and the assembly approach to local governance as a development reform. This will require a discussion of the incentives and the relationships including the distribution and contestation of power between different actors. To this end, the study considered a number of questions provided in Appendix Two, on which key informants, practitioners and experts on decentralization in Ghana were engaged. Some of the insights provided have been summarized below.

HISTORICAL ANALYSIS OF DECENTRALISATION AND LOCAL GOVERNANCE

The PNDC was motivated to give powers, responsibilities and resources to sub-national authorities by the prospect of legitimizing the 'power to the people' philosophy of the revolution it had led the country in from the beginning of the decade. Increasing international pressure for democratization also favoured a brand of decentralization that would appear to empower people at the community and grassroot levels. Other players such as traditional authorities and professional bodies did not initially support the move, seeing it as part of the strategy of the PNDC to perpetuate its power (Herbst, 1993; Nugent, 1995).

The first assemblies were formed in the absence of a parliament, and were totally in keeping with the notion of non-partisanship, given the absence of an opposition. The second set, which came into being after the Fourth Republican Constitution, were still endorsed by a parliament that did not have much opposition, given the boycott by the New Patriotic Party (NPP). The interpretation of the Constitutional provisions for decentralization into legislation and regulations was overseen by the key political leadership that oversaw the assembly system in the PNDC era.

Since the start of the Constitutional era, reforms have been attempted in the decentralization experience. However, their implementation performance and results have been mixed, having met with challenges in management, changes, insufficient communication to stakeholders, lack of understanding of the ownership roles by bureaucrats, technocrats and citizens, turf issues translating from national level sectors to district level departments, actors and office-holders. Changes in government from one political tradition to the other resulted in the lessening of enthusiasm for some initiatives that had been started, in some cases these were truncated or resulted in legislative review as in the case of LI1931 succeeded by LI 1961.

After the integration of the lessons learned from the post-Constitutional arrangements, guidelines had to be provided for new requirements under the Constitution such as administering the District Assemblies Common Fund (DACF), operationalizing planning arrangements, electing assembly members in a multi-party environment to a non-partisan forum and accommodating Members of Parliament in the assembly system. Over the last decade, efforts at reform have included a review of the number of people to be elected to unit committees; the passage of the Local Government Service (LGS) Act to operationalize the LGS. Other legislation to operationalize integration of the departments into the assembly have been enacted as is the passage of national laws and policies for financial management which have implications for the functioning of assemblies. While these steps have provided some guidance for the conduct of business, these are still incomplete with challenges in implementation, and lessons to be learned and how to better citizens' understanding of these processes.

Efforts have been made to provide guidelines to facilitate local level planning, have consultations with citizens, improve internally generated revenue, boost local economic development and introduce composite budgeting. To get assemblies to comply with their legal obligations and other aspects of performance management have been promoted through the Functional Organizational Assessment Tool (FOAT) and other reporting and accounting mechanisms.

Civil society has tried to promote reform through efforts at enhancing accountability to the citizenry through such mechanisms as the District HIPC Watch Committees and the Governance Issues Fora. The government and its partners have learnt from civil society initiatives by introducing vehicles such as the SPEFA, to promote accountability in public expenditure (which learnt from the ZUTA Forums developed under an initiative

coordinated by SNV with local NGOs the need to monitor School Feeding and the District HIPC Watch Committees). The Sub-Committees on Productive and Gainful Employment engaged by assemblies participating in the Decent Work Pilot Programme, a collaboration between the Government of Ghana and the International Labour Organization (ILO), provided guidance for the Local Economic Development (LED) policy of 2011.

The decentralization policies 1 and 2 of 2010 and 2015 respectively sought to deepen decentralization, with the first emphasizing the Social Agenda for assemblies. However, the 2015 Policy described how this was not understood or achieved by the assemblies. Act 936 sought to provide more guidance to assemblies on how to engage citizens   and how to conduct town hall meetings, how consultations and public fora should be conducted, amongst others. The mode of policy reform and lessons learned in the process may also be factors in the performance of subsequent policies. While inclusion of citizens and non-state actors in policy processes have increased over the years, efforts to make these processes even more accessible are required. Who gets invited to consultations, under what circumstances and the opportunities to make inputs and what is done with citizens' contributions and the roles assigned to citizens in policy implementation, monitoring and evaluation, all require further consideration.

The review of the 2010-2014 Decentralization Policy undertaken through a joint donor-government led process, reported dismal progress on the social agenda. A number of businesses remained unfinished. Composite budgeting had been initiated but depended on the successful integration of district departments which had not been fully achieved. Change in management at the individual and institutional levels had been required, but some uncertainty and anxiety remained amongst staff members of the departments to be decentralized.

To successful lobbying by traditional authorities and political champions in the two main political parties in fulfilment of political promises and rewards for political support. Chiefs have 'thanked' various political heavy weights for 'bringing' or 'giving them' districts. In spite of the fact that some districts have met neither the constitutional nor the legal criteria for the creation of a district: – population size, economic and socio-cultural viability, amongst others, they have been established. Over the years, the criterion for 'municipal assemblies' of a 90,000 population size around an identifiable town and its linked settlements has been compromised, with municipalities created as a form of elevation of some districts given their rapid urbanization.

The constraints to reform:, political, economic and social include the following: politically, changes in governments introduced new initiatives. There appeared to be some ideological disinterest towards interventions started in a previous regime, particularly those that appeared to have given the appointees of a ruling government an advantage in popularity. There has been some ambivalence in following through with such issues as election of DCEs and modes of selection of appointed members. Social constraints include resistance to change by civil servants, arising from their sense of security in their membership of the LGS. On the one hand, there were demands for further clarity on progression and opportunities in the Service. On the other hand, there was more competition for headship of departments and assembly administration, opening these positions up for members of the professional classes beyond the administrative class. The position of coordinating director also demanded higher qualifications.

Given the constitutional provision for freedom of association. there was competition for membership between the former Civil Servants Association which in the 'decoupling' of the Local Government Service from the Civil Service transformed itself into the Civil and Local Government Servants Association of Ghana – CLOGSAG) and the relatively smaller Local Government Workers Union (LGWU of the Trades Union Congress.

Financial constraints included those arising from the larger macroeconomic environment. One obvious effect was on the limitations on recruitment to provide assemblies with the requisite staff numbers. Other finance-related issues were connected to the slow progress of fiscal decentralization. Central government agencies maintained control over implementation of programmes and projects, indicating lack of capacity at the district levels to manage finances and ensure standards of accountability. For instance, 2003 saw the enactment of financial management legislation which had elements of centralization, including the Internal Audit Agency Act, 2003, Act 658 and the Public Procurement Act, 2003, Act 663, which in effect took some control away from the assemblies. Pressures from development partners and challenges from multi-sectoral coordination also affected assemblies' independent functioning and control over their development choices.

Assemblies' own limitations in mobilizing local revenues were hampered by inadequate databases, perceived corruption of revenue collectors, reluctance of citizens to pay rates from which they saw no clear development benefits and inadequate involvement of rate-payers in fee-fixing processes.

The incentives for the citizenry to support reforms lay mainly in the visible effects of the changes. When assemblies are able to demonstrate responsiveness to their concerns and are adequately informed about the programmes and initiatives and there is clarity on the processes, citizens may respond positively. Local Government servants, chiefs and the leadership of various interest groups, particularly targeted sections of the population need to feel adequately informed and engaged.

Ongoing and prospective reforms with implications for decentralization and local governance are on various levels. There are far-reaching reforms, some of them emanating from the Constitutional review process and the wide public outcry over the years, such as the election of DCEs. This particular reform has been supported by civil society and other entities over the years as a way of facilitating accountability, and the ruling [NPP-led] government included it in its manifesto. Currently, MLGRD is developing a framework – with some level of consultation. Civil society has taken some initiative in this regard, with IDEG stimulating public discussion and providing proposals for operationalization.

Some efforts at reform began in the previous NDC-led regime and must find conclusion in the current NPP- directed one. These include the operationalization of a brace of new legislation passed in the last quarter of 2016 with implications for district level responsibility, the functions of key district level departments and resources available to the district authority. The laws include the Local Governance Act, 936, the Public Financial Management Act, 92,; the amended Public Procurement Act, Act 914, the Land Use and Spatial Planning Act, Act 925, and the Youth Act, Act 939 and the Sports Act, Act 934.

Already, there are efforts to review Act 936, though citizens and civil society may not be thoroughly aware of what the law actually says. Critical policies have to be reviewed in the light of national and international events. For instance, the Urban Policy of 2012 has to be reviewed, after four (4) years of implementation and in the context of the New Urban Agenda emerging from Habitat III and the passage of the Land Use and Spatial Planning Act.

Other efforts began under the previous regime include the Education Decentralization and the Health Decentralization legislation. In relation to the Education Decentralization implementation, previously mandated reforms have stalled. Another reform area has been in devolving education to the local government level. Act 778, the Education Act of 2008 sought to facilitate decentralization of basic education. In spite of the successful passage of this Act, policy initiatives by the Government of Ghana and its Development Partners, the establishment of the Ghana Education Decentralization Project (GEDP) and the Education Decentralization Implementation Secretariat (EDIS), … all these processes have not gained the required traction.

Strenuous efforts were made by various parties, including advocacy by the Ghana National Education Campaign Coalition (GNECC), a legal review of education decentralization and a mapping of international lessons were efforts to assure doubters. However, it would appear that keenest resistance has come from civil and public servants, notably the membership of the Ghana Education Service (GES), towards this change. However, international experience suggests that devolving education management to districts and schools should enhance quality and learning outcomes.

Another important reform has been the creation of new assemblies, extending the number of assemblies from 110 to 216 over the twenty-five year period and with the prospect of more. In spite of the oft cited official reason for their creation: – bringing governance further down to the people and dividing the country further up for more equitable governance – there were various other reasons. The creation of districts has been attributed

REFORMS UNDER THE NPP GOVERNMENT

Work on legislating devolving health was undertaken for over four years but was still not finished at the change of government in January, 2017. Drafting, consultations of key stakeholders had been undertaken, but had not yet been approved by Cabinet for submission to Parliament. The process has been re-visited by the NPP-led government and is under consideration. In this area too, powerful health professionals resisted the prospect of coming under the control of district administrative authorities. This resistance to change may have been anticipated from the experience of the education sector and the challenges in the health sector around implementing the citizens' charters and the operationalization of the Community-Based Health Planning and Services (CHPS) concept.

Other reforms emanating from the NPP agenda that will impact the decentralization process include the efforts at regional reorganization – which could have the effect of improving coordination and technical backstopping of districts, through the creation of the Development Authorities which are multi-regional vehicles for delivering economic, infrastructural and physical development as well as the creation of sector Ministries like the Zongo and Inner Cities Development portfolio. Given the country's history with inter-sectoral, inter-ministerial coordination, careful attention must be paid to the prospects for turf-battles, duplication of effort and confusion at street-level implementation.

Other proposals for reform that will have implications for decentralization is the creation of thirty-eight (38) new districts to give a total of 254, as well as the elevation of districts into municipalities. These reforms are supported by the political, traditional and other leadership of beneficiary communities. The financial, institutional and social implications are less clear. The experiences of previous creations of districts have brought in their wake numerous issues to be resolved, including siting of district capitals (and the tensions between

communities that have already occurred), the availability of administrative, physical and residential infrastructure, economic and social viability of the new district to sustain itself, sharing of resources with the 'parent' district and clarity of demarcated boundaries.

Further areas of consideration for reform were more incremental and less sensational. These include the effort at improving local resource generation through the ongoing street-naming and property addressing system. Local economic development endeavours can be linked to this. The implementation of the LED policy has been slow, and it is not clear that efforts in this direction have been assessed. Education on the policy for district level functionaries was ongoing as at 2016. It is also not clear how initiatives coordinated at the national level and through another sector Ministry (the Ministry of Trade and Industry) such as the 'One District, One Factory' is to be harmonized with district level schemes. Expectations of the assemblies by these central-level agencies are conveyed to assemblies, sometimes without their adequate consultation or involvement in planning. Then there is dismay when assemblies fail to own or respond as expected. Some MDAs consider engagement of MLGRD as insufficient to ensure the compliance and participation of assemblies in their programmes.

The Ministry of Local Government and Rural Development (MLGRD) itself has initiated a programme, the District Centres for Agriculture, Commerce and Technology (DACT) which could help assemblies operationalize their local economic development efforts. This will depend on how assemblies are carried along in this programme – coordination as in inclusion, flexibility and accommodation of assembly differences and peculiarities rather than coordination as imposition, direction and sanctioning are essential approaches.

In order for the various parties to participate effectively in reform processes, there must be enough information for them. CSOs require information to influence policy at the national level, to monitor, track performance and convene learning events at the regional level and advocate social accountability and demand responsiveness at the local level. There is some information to help CSOs track progress in decentralization and local governance, however, a lot of this information is collected by the CSOs themselves. Government and development partner-sponsored information sources include the annual performance reports (APR) collated by the Local Government Service (LGS) and the Functional Organizational Assessment Tool (FOAT) overseen by MLGRD as part of their mandates. These are not widely known or immediately available.

The District League Table (DLT) assembled since 2014 led by the Ghana Centre for Democratic Development with sponsorship from UNICEF and in collaboration with MLGRD, the LGS and the NDPC uses readily available administrative data and is widely accessible for information on social services such as education, rural water, sanitation, security, health and governance. It has the additional advantage of the information being quite current, applicable to the previous year, unlike the FOAT.

PROSPECTS FOR CITIZENS AND CSOS PARTICIAPTION

There are prospects for improving the involvement of local actors. Efforts to equip community level CSOs with requisite information are varied. Some successful efforts have been made through their larger, national level NGO partners. Local leaders such as traditional authorities, faith leaders, executives of economic and social associations and members of parliament could have provided viable channels for local participation, since . traditional authorities, faith and opinion leaders have been represented on assemblies as appointed members. Act 462 required their consultation in selecting appointees and in some years (such as 1998 and 2002) quotas were allocated for traditional authorities. Traditional authorities were also provided for as representatives on Regional Coordinating Councils (RCCs) through the Regional Houses of Chiefs. There have therefore been opportunities for them to interact with assembly leaderships – including being invited to grace assembly events and consultations on programmes and projects. However, there is little evidence of any consistent, routinely and reliable engagement between traditional councils and market associations, local councils of churches, district councils of labour and other such forums.

Traditional authorities appear to have been more re-active than pro-active in accessing information from local authorities, expecting assembly officials to come to them. The tensions between some Members of Parliament (MPs) and assembly officials have been observed (Ayee, 1999), thereby limiting access of MPs to assembly-related information. The demand side of accountability has to be strengthened and the requisite platforms systematically created.

Efforts at reaching out to citizens and identifiable sections of the whole population (such as women, persons with disabilities and young people) are varied, and the effects cannot be easily assessed. There have been some initiatives from assemblies through provision of information on their noticeboards, public announcements, features and interviews on local FM

radios and communication through assembly functionaries and members. Accessibility of assembly members as a channel of communication has not been as effective for the citizenry as was envisaged by the vision of decentralization.

A related concern has been the non-functionality of the sub-structures (unit committees, particularly). While the law LI 1967 reduced the number of persons to be elected to unit committees, an assessment of whether this has improved their functioning is not yet available. Investment in their functionality has not matched the rhetoric about their expected functions, perhaps because it is feared these may take control away from assemblies. This is further supported by the inability or unwillingness of assemblies to share locally generated revenues with the sub-structures.

The push to improve assembly support of gender initiatives, disability concerns and targeted assistance to underserved groups has largely been from civil society rather than from MMDAs. In spite of previous efforts to target the vulnerable through the DACF, such as the 1997 Poverty Reduction Fund deductions prioritizing disadvantaged groups, as for example through the District Response Initiatives for disability allocations assignments for HIV & AIDS and the more controversial Constituency Development allocations, also known as 'MPs' share',, there does not appear to be an authoritative assessment of their impacts.

Efforts at social protection such as the School Feeding Programme and the Livelihoods Empowerment Against Poverty (LEAP) have been centrally controlled, driven and administered, though implemented at the district level, with some provision for some district and regional oversight. The reliance on Chief Executives and party activists to operationalize district level activities and directives from the centre contributes to perceptions that they are politically compromised. Not surprisingly, 'elite capture'

is cited. Other social protection initiatives such as the National Health Insurance (NHI) and disability support are also centrally driven. For instance, key efforts to achieve change for persons with disability are emanating from the National Disability Council – such as a manual providing a framework of support.

The scope for accommodation and incorporation of local knowledge, demands and needs can be deduced from the legislation that mandates assemblies to be responsible for overall development in their jurisdictions. The design of assemblies, such as having elected members to be the channel of communication with localities, appointed memberships that would enhance assemblies' access to extra technical, socio-cultural and sectional insights, the use of local languages in assembly business, the functioning of sub-committees of the assemblies, consultation and collaboration with local social and economic groupings were all intended for these purposes. But each of these mechanisms had their weaknesses that constrained their ability to generate and incorporate local knowledge, demands and needs (Ofei-Aboagye, 2008).

There was no guarantee that the best candidates stood for assembly level elections, given the excitement that accompanied national level parliamentary contests. In spite of the prohibition of partisan sponsorship of assembly candidates, anecdotal evidence suggested this was not in place. The illiteracy of some elected members and the inability of some educated ones to understand the documentation and the more technical aspects limited their capacity to convey critical information to their electorate and stakeholders. The appointed membership mechanism was often appropriated for political reward systems. The use of local languages did not extend to translating key documents, and sub-committees did not meet often enough due to financial and other resource constraints. The prescribed consultations did not take place regularly enough and were not structured to provide effective exchange. Economic

and occupational associations and product groupings were not necessarily capacitated to engage assemblies, while some efforts have been made under various development programmes/civil society/NGO initiatives to equip local CSOs to undertake advocacy, such as under the GAIT programme's Civic Unions.[1]

The early decentralization-related laws of the Fourth Republic, such as the Local Government Act, 462, instructed assemblies to 'consult' and 'collaborate'; and the National Development Planning Systems Act, 480, required the conduct of public hearings as part of the processes of bottom-up planning. Over the years, it could not be assumed that assemblies knew how conduct such hearings nor that they had the methodology (Ahwoi, 2017) in spite of instructions offered by the NDPC as part of the 2004 Medium Term District Planning Guidelines.

One practical area for incorporation of local insights and demands was in internal revenue generation (IGR). Local resource mobilization had to be accompanied by effective consultation on fee-fixing accompanied by fairness and transparency in the allocation of local resources as well as in a widespread and equitable accountability to all sections of the citizenry. Though there were efforts in some districts (such as in Northern Ghana in collaboration with IBIS Ghana) to provide information on amounts of revenue collected), lessons on how effective these efforts were need to be analysed and disseminated.

However, as social accountability became more appreciated internationally and nationally[2], mechanisms to ensure culpability were built in along with grievance-handling and complaints mechanisms in social protection programmes such as the LEAP and were provided for in the Social Protection, School Feeding and Labour Intensive Public Works Policies.

In the new Local Governance Act, a number of mechanisms for pro-active information-sharing are outlined for assemblies. However, under the NPP-government since 2017, district level town hall meetings are being conducted and coordinated by the Information Services Department (ISD) in collaboration with Regional Coordinating Councils (RCCs). Locally-driven initiatives, controlled and directed as local-authority/local stakeholder events need to be identified and learnt from; and more intensive, proactive engagements between local level stakeholders are required.

Whether the public engagement and participation mechanisms proposed in Act 936 will work, can only be assessed over time. Therefore, civil society must invest some effort in encouraging assemblies to employ these strategies and track their effectiveness.

Development Partners' incentive to get involved in Ghana's decentralization process must have been enhanced by the promise of democratization indicated by the assembly system. Internationally, decentralization was

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[1] *Government Accountability Improves Trust Programme implemented by the Cooperatives League of the USA in twenty districts from 2003 to 2009 and supported by United States Agency for International Development (USAID).*

[2] *United Nations Economic Commission on Africa (UNECA), Governance and Public Administration/Governance Section, July, 2010 quoted the Arusha Declaration's definition of social accountability as the "full and effective participation of the people in chartering their development policies, programmes, and processes and contributing to their realization". UNECA's survey identified social accountability mechanisms as "the practical form of such participatory arrangements whereby citizens hold both elected officials and civil servants (bureaucrats) accountable include (but are not limited to) public meetings, citizen juries, citizen produced and published "report cards", parent-teacher-education administrator meetings, open forums for various social groups such as the elderly, young, women and minorities, neighborhood assemblies, referenda accompanied by active public debate and discussion, and citizen action to ensure an open society".*

considered to have prospects for poverty reduction and enhancing accountability to the citizenry, as indicated by the World Development Report (WDR) of 2000. Other influencing factors including the international development directions arising from the declarations and platforms related to sustainable development, social development, gender and the environment, culminating in the priorities of the Millennium Development Goals (MDGs). Their own country's foreign assistance priorities, frameworks and strategies based on their tax-payers' preferences also shaped the issues they chose to support by sharing of the lessons from their own country's development experiences, including planning approaches, organization of local government and project management.

Other influences were the requirements of the Paris Declaration and successor agreements on aid and foreign assistance, including the 2011 Busan Shared Principles (ownership, focus on results, inclusive development partnerships, transparency and accountability). Development Partners also demonstrated the need to build on their earlier support initiatives to take on board lessons, gain optimal traction as well as to demonstrate value for money. Given the international economic downturn at the end of the decade (late 2000's) and therefore dwindling resources of donor countries, development assistance reduced and had to be prioritized. Along with trends in development thinking to prioritize advocacy, reduce corruption and optimize local resources and make duty-bearers more accountable, DPs re-designed their approaches. Some ways in which Development Partner (DP) support progressed along with decentralization in Ghana was as follows:

Prior to 1992, there was not much DP interest in the decentralization process. Some assistance had, however, come to municipalities from the World Bank Urban Projects. Between 1993 and 2000, support came through the Danish International Development Agency (DANIDA), the European Union, the German Development Bank

(KfW) amongst others, for infrastructural development, markets, water and sanitation and capacity development. Major interventions to support human resource development over the next decade came from the Dutch Government through the Capacity Building for Decentralization in Ghana (CBDG) Programme and the European Union Human Resources Development (EU-HRD) Programme to accompany their Micro-Projects initiative. The Districts Capacity Assistance Project (DISCAP) supported by the Canadian International Development Agency (CIDA) in Northern Ghana was critical for giving targeted capacity support in particular geographical areas.

Between 1999 and 2011, the German Development Programme (GIZ)'s support for decentralization and local governance evolved from the Participatory Rural Action (PRA) Programme implemented in the Upper West, the Volta and later the Ashanti and Brong-Ahafo Regions, followed by the Local Government Poverty Reduction Support Programme (LG-PRSP) and finally by the Support for Decentralization Reform (SfDR). The LG-PRSP sought to build capacities of partner communities with populations 5,000 and over to operate and maintain infrastructural investments through partnerships between local government structures and the market and lorry park stakeholders. The SfDR which built on its predecessors sought to provide advisory services to MDAs for further improvement and by deepening of decentralization reforms. These all comprised political, administrative and fiscal aspects as well as stronger self-governance.

Under the SfDR, GTZ (which was transformed into GIZ), and through the SFDR, Ghana conducted a comprehensive decentralization review in 2009 which involved ten (10) regional consultations, twenty (20) interest-group/stakeholder engagements to review the experience. The process generated considerable qualitative information that enhanced the data on decentralization over

twenty years. Audio-visual resources were also developed, and the final product was the Decentralization Policy Framework and the accompanying second National Decentralization Action Plan. There were qualitative gains, including the raising of the profile of the decentralization agenda, the stimulation of discussion and media coverage. The process also stimulated collaboration between public and civil society entities and brought on a number of DPs and international development organizations to support aspects of the review process.

There are other areas for PEA consideration that require further reflection. This section is limited to raising a few issues:

Knowledge/Information on how the contextual, political, economic and social background impacted on the decentralization process would provide useful insights for assessing decentralization implementation. How did the areas of strength, fragility, historical, social and cultural legacies and cleavages affect the successful performance of assemblies? Some of the strengths to be considered would have come from the historical legacies, such as choosing an important market site as a basis for development, finding long-established stopping places along traditional routes or single out meeting places for several routes with implications for backward and forward linkages, identifying historical sites and capitals of great kingdoms. These histories can influence the sources of local income for the host assemblies. The prospects of tourism for the assemblies on the historical slave routes; the great markets accommodated by Techiman, Mankessim, Swedru, Nkawkaw and Salaga, amongst others, and the location of Nsawam, Assin Manso and others as stopping places are invaluable. Towns like Kibi and Yendi are of broad historical interest, and even the prospects for decline of these towns when the main travel routes are diverted such as the effects on towns like Suhum, Kibi, Nkawkaw, Nsawam and Damongo need to be assessed and evaluated.

The effect of culture on the creation of assemblies was also manifested in the amalgamation of more than one traditional area into a district as might be reflected in their names. Originally, a number of assemblies, particularly in the Central, Northern and some in the Western and Eastern Regions reflected this cultural legacy . Naturally, district capitals will go to the most endowed towns in terms of infrastructure and in their ability to deliver a certain level of services. However, there have been occasions where there have been conflicts and tensions about the siting of the capital and where towns have comparable facilities, there have been historical rivalries, or an older town was passed over in favour of a 'younger' one on the basis of perceived political expediency. While these issues often are negotiated, or claims are given up, in some cases, the tensions have never been too far below the surface and thus an unfulfilled dream can manifest itself in demands of the indigenes for a separate district.

In spite of the best efforts to ensure that assemblies were established based on economic viability, the fragility of some localities impacted on the potential internal resources that local authorities could expect to collect. This in turn affected their ability to control and drive the pace and direction of local development. The competition for land, the absence of reliable, national land management policies and low enforceability of regulations and protocols translated to ineffectiveness and fragility in spatial planning and physical development at the local level. Increasingly the competition over land and unresolved historical conflicts over traditional boundaries have caused security concerns for assemblies.

Another area for PEA relates to the implications of having a partisan national system on a non-partisan local government system. Ahwoi (2010) indicates that this issue is of major consideration/concern. There are manifestations of partisan influences on the assembly system – where through

presidentially-nominated CEs and appointed members, a ruling party can exert its interests on district governance. The only other members of assemblies who are officially politically aligned are the MPs.

MPs may not have been effective as local government functionaries. As the link between the national and local legislatures, MPs have had a checkered relationship with assemblies generally and with their leaderships in particular. It has been suggested that in spite of political affiliation, MPs may see CEs as working to unseat and replace them in the more secure office of Parliament. On the other hand, CEs may consider MPs as having an undue facility through the Constituency Share of the Common Fund. This facility, also described widely as the 'MPs' Common Fund' is seen by many as contravening the spirit of the Constitutional provisions for the Fund. Through this mechanism, MPs have exerted some local influence, but anecdotal information suggests that MPs feel that CEs have unduly delayed or undermined their projects.

The true incentive for politicians to act in the public interest could determine the direction and progress of local governance. Being voted for, may be an incentive for politicians' activism, though more so for parliament than local assemblies, as the levels of turn-out and numbers of candidates for each seat would suggest. However, appointed members and CEs may not have the same incentive for action and accountability. Therefore, the incentive for politicians to act in ways that serve the public interest may purely be to bring about change that they believe in or are committed to. It is in area that reason coincides with their self-interest, or where it coincides with the priorities of their sponsoring political party, and that pressure is exerted by constituency-level functionaries or the politically-appointed regional minister .

The dynamics may differ for the circumstances of CEs and local politicians based on the circumstances or situation of the district

capital with multiple functions (as both regional and metropolitan/municipal capitals as in the cases of Sekondi-Takoradi, Tamale, Cape Coast, Ho, Koforidua, Sunyani, Bolgatanga and Wa). In the case of Accra, which serves as a national, regional and metropolitan capital, there are jurisdictional and governance issues, and players at different levels all competing or collaborating to achieve their agendas. In some cases, they have found areas of convergence; in other cases, strong mayors may have had to battle with strong regional ministers; or regional ministers may have had to recede to accommodate the visibility of strong mayors and even the president.

Incentives may also arise from pressures from elites, including traditional authorities, who, arising from the capacities for social mobilization and control of natural resources, can create some security or alternatively: tension. Closely aligned to traditional authorities are key actors that communities have organized themselves around socially – traditional religion leaders, founding families, land owners and other local elite. In a country where familial and ethnic allegiances are still strong, family, mentoring pressures can be brought to bear on a CE of a district. Anecdotally, it is suggested that a CE or a politician who can draw on these alternative influences may be able to counter partisan pressures.

'Elite capture' has often been identified as one of the 'dangers' of decentralization. Elite capture occurs where by virtue of their positions, access to information and other resources, key sections of the population can benefit unduly or inequitably from the benefits of local level development. On the other hand, the position is emerging in development thinking where a role is envisaged for the elite where they can bring these attributes to facilitate development for their localities and nations (Wong, 2010; Amsden, 2012).

Traditionally, the basis of influence of the elite at the local level could be historical, political,

socio-cultural and economic. Historical influence could be tied to traditional authority, the patterns of chieftaincy and authority are often traced to the original inhabitants and owners of the land, who have the control and the power to assign that resource. Socio-cultural sources such as ethnicity, family links and religion could also be important channels of influence and control, especially where particular groups predominate and control resources, including human loyalty. With the advent of partisan politics, the formal and informal leaders of the key political parties can influence issues – where their party is in power or commands a following in the locality. Other sections of the population become influential when they can control economic resources and activities, security and information. Increasingly, control of these channels is providing alternative processes for social mobility for younger people.

These sources of influence become important for local governance to the extent that they enable individuals or sections of the population to shape, access, control or participate in development programmes in various capacities, as investors, as collaborators or as the beneficiaries. The relationship between different categories of elite has implications for local governance. Political, social and economic elites may overlap, cooperate or collide and the nature of their connections affects the operation of checks, balances and accountability. It would appear that in Ghana, political, social and economic elites cooperate to a large extent and have considerable overlap.

Apart from the chiefs who cannot openly and formally be involved in politics, people who successfully put themselves up for public office would have some level of economic and social visibility; or have access to familial or social support. Chiefs can for the most part influence local government actions, indirectly by endorsing or undermining these. Through their control of natural resources, the links between traditional authority and economic activity could be strong – causing overlaps.

Traditional authorities have at times exercised some power through demands for the removal of offending DCEs or by publicly reprimanding assemblies for failing to make a passing grade on the Functional Organizational Assessments (FOAT) resulting in the district's forfeiture of a District Development Facility (DDF).

Where there is competition between elites, such as between MPs and DCEs or between political partisan factions in the assembly, equitable development does not occur. Tensions between traditional authorities and assembly leadership also limit sustainable and consistent action. While the traditional authorities have considerable social control over their people and over natural resources (and can influence the security of an area), their authority is not unlimited. Traditional checks and balances such as councils of elders and king makers, groups of young people with alternative sources of revenue and rights, as well as internal conflicts between chiefs themselves can constrain otherwise powerful rulers.

The administrative and technocratic personnel and public service providers, including the security, utility, financial and other services in a district may also be considered an elite group. This group, while having considerable control over allocation of resources, knowledge and influence, may also be limited in their performance by local political, social and economic elites.

However, the slow progress of the decentralization agenda and the perceived non-performance of assemblies suggest that the elite have not used their power positively to drive local level development. There are perceptions that some social programmes and infrastructure have been co-opted by those with political connections, such as the School Feeding Programme. On assumption of office, there have been instances of functionaries of ruling parties seizing control of local public toilets, offices and market revenue sources. There have been suggestions that resources intended to benefit producers such as farmers

and fisher-folk equitably may be misdirected for political mileage. More evidence is required to ascertain the veracity of this view. Political factions in assemblies have also at times disrupted decision-making on assumption of office

Early studies suggested that the perceptions of the citizenry about development interventions varied widely from those of the administrative and political elite (Ofei-Aboagye, 2006). On the other hand, mechanisms for exacting accountability and the role of civil society in these interventions could have been more effective. As indicated earlier, the accountability mechanisms built into the design of the programme, such as requirements for consultation of citizens' groups, bottom-up planning and the feedback system through assembly members have not worked as envisaged. While the culture of town hall meetings was initiated with assemblies at the turn of the decade, they were not sustained. Public hearings did not have a discernable legacy, and the Public Relations and Complaints Committees (PRCC) failed to function effectively for various reasons including the inability of Presiding Members to exert their authority, confusion as to how they should operate; neglect of their establishment by assemblies through non-assignment of logistics and resource and lack of interest and

understanding of their function by the public these bodies were intended to serve.

As indicated earlier, civil society entities from the national level have sought to facilitate accountability and responsiveness in partnership with district-level groups and associations.

Initiatives like the Governance Issues Fora (GIFs), Civic Unions and District HIPC Watch Committees, while useful having created awareness and generated lessons, have remained pilot efforts, have been periodic and required some external sustenance. Efforts such as the ZUTA Forums established to monitor School Feeding through a consortium of NGOs with technical coordination by SNV provided lessons for designing the SPEFA groups to track public expenditure. But these too will require resources for sustainability. Social accountability mechanisms must have resources in order to remain effective. Sustainable mechanismsm such as the voluntary, local groupings require other resources including information, capacity to exact accountability and the motivation of knowing that their intervention, the cost of their time and other resources will actually bear fruit or bring about the desired change. The enthusiasm of economic groupings at fee-fixing meetings in the metropolitan assemblies may be instructive in this regard.

PROPELLING REFORMS FORWARD...

So, can the reforms, attention to equity and establishment of accountability mechanisms be propelled through legislation and policy frameworks, or are there other requirements? As indicated in earlier sections, there is considerable legislative provision – from the Constitution to the more recent laws indicated earlier. Ghana's commitment to international provisions such as the Habitat III's New Urban Agenda, also provide frameworks for action. The law has also provided the allocation of inter-governmental responsibilities – central government and sector ministries charged with policy making, planning, monitoring, budgeting, coordinating and evaluating, the regional coordinating councils (RCCs) assigned monitoring, coordinating and technical backstopping roles and the assemblies responsible for planning, budgeting, executing, monitoring and evaluation duties.

However, these distinctions have not always been adhered to, with national level agencies getting involved in direct implementation or by controlling execution through secretariats, units and offices. RCCs have not had adequate resources and logistics for monitoring and coordination and they, themselves, require technical capacities. For a long time, RCCs' owned th administrative location – whether as part of central government operating under the Office of the President or as a branch of the Local Government Service, has not been clear. They are currently part of the LGS, but there are still indications of resistance, given that several regional departments are de-concentrated from national Ministries, Departments and Agencies (MDAs).

New legislations like Act 936, the Sports Act, Act 934 and the Youth Act, Act 939 have to be interpreted and harmonized in their requirements with other legislative instruments (such as LI 1961). For instance, the Sports Act seeks to create Regional and District Sports Committees and Units to facilitate decentralization of sports administration. It is not clear how these will be aligned to the creation of the District Department of Education, Youth and

Sports under LI 1961. Provisions for deductions from the DACF for youth issues under the Youth Act have to be operationalized and made relevant to the local governance agenda. The international commitments such as those to Habitat III, CEDAW and the SDGs have to be adapted not only to national circumstances but to local district ones.

In the search for equitable development, there is the need to ensure that central and regional levels of governance and administration, the Ministries, Departments and Agencies (MDAs) see the assemblies as a sphere of governance, not inferior to them, but self-determining and accountable to their citizenry. A movement away from hierarchical, patriarchal approaches will require central level agencies to engage district assemblies in a joint effort to design, plan and coordinate development rather than inform, instruct and direct assemblies.

The ability of central level agencies to initiate and impose programmes on assemblies arise mainly from (a) the continued allegiance of an assembly's political leadership to the ruling party and the continued control of public services by regional and national offices through deconcentrated arrangements and (b) lack of confidence of assemblies and local stakeholders in their own capacities and competence for self-governance, the fragility of the demand-side for accountability and lack of coordinated action between local stakeholders.

Other dilemmas to be resolved include:

- The place of the proposed Development Authorities in the decentralization arrangements and their relationships with the Regional Coordinating Councils and District Assemblies
- Disaggregation of assemblies' requirements based on their needs and locations. For instance, the needs of assemblies with large sections of rural areas are different from urban assemblies. While Ghana has successfully developed and implemented urban policies (see the 2012 Urban Policy for instance), a rural development policy has lagged behind.
- Differential approaches to policy-making: how public and stakeholder involvement can be ensured beyond tokenism, appropriate roles for development partners and how the hitherto less involved civil society entities (such as economic and productive groupings, faith institutions, professional bodies, private sector entities and the media) can contribute to the key processes. Other dimensions of PEA are taken up in the subsequent chapters.

CONCLUSIONS AND LINKAGES TO THE OTHER CHAPTERS

The accountability mechanisms have been discussed in some depth in preceding sections to conclude that there is more information emanating from government to the citizenry than from society to local and national authorities. Elections are not adequate as voice mechanisms in local governance as they happen once in four years and do not involve the Chief Executives. The assembly members also do not provide a robust enough feedback mechanism. Other voice mechanisms such as town hall meetings, consultations and user panels have not been used effectively or been sustained. Other representatives, such as traditional authorities, faith leaders and MPs may have had some influence with assemblies but the performance of these channels has not been consistent.

Reforms through the unfolding of policies, legislations and programmes are discussed in the fourth chapter. The epochs in the decentralization agenda and local government reforms over three decades, from 1988 to 2017 are discussed. The main players in these reforms, state and non-state and their stake have been included in the stakeholder analysis above. Decentralization was delivered not only through national and sub-national government structures but through project teams and through coordinating mechanisms as well.

The common perception has been that local authorities and local government functionaries lack the requisite capacity to deliver development, including logistics and know-how. Therefore, a wide range of efforts were made by central government entities, development partners, consulting firms, NGOs and CSOs to train assembly staff and actors. Capacity issues are discussed in Chapter Four and are returned to in Chapter Five in reflections relating to assessing performance in local delivery of public services and in enhancing citizens' participation.

The preceding discussion referred to the role politics played; including with the challenges of operating a non-partisan local government in a partisan national

government environment. The partisan, political influences on decision-making in assemblies and the tensions around control over district level public facilities have also been referred to.

The level of involvement of various stakeholders, including sector agencies and the private sector, has been considered in the stakeholder analysis. Issues of ownership and the sustained implementation of accountability schemes and mechanisms have been raised – including the fact that several good initiatives remained at the pilot stage and required further support to move them forward or upscale them.

The existing power relations have been considered in the power analysis above, and the potential for overlaps and cooperation between political, economic and social elites, raised. The areas of potential conflict between key actors such as MPs and DCEs and with traditional authorities have also been recognised. Since the reforms are intended to bring about change, those designed to put more resources in the hands of the disadvantaged has the potential to change power relations.

However, investments in the marginalized must be accompanied with other empowerment initiatives, including political, communication and advocacy skills and with information to actually change power relations. These approaches and the strengthening of networks and confidence-building would capacitate women, persons with disabilities, young people and other identifiable, vulnerable groups to participate in local decision-making processes. The sixth chapter examines some of the key

issues on a disaggregated basis and the policy interventions that have been tried and the prospects for a social agenda and the anchoring of social protection in local governance.

Some reference has been made to the priorities of the current administration, such as the new development authorities in Chapter Three. How other flagship actions of the NPP-led administration, such as the one district-one factory initiative, the Zongo Development Fund, Planting-for-Food-and-Jobs and the Infrastructure for Poverty Eradication Programme (IPEP) could complement the social protection efforts that will be discussed in Chapter Six. So far, these interventions appear centrally driven, and indications of how these will be integrated with district-level efforts will be required.

While the fourth and fifth chapters outline the reforms, the question arises whether those policies in place can strengthen responsiveness and accountability of local government bodies and officials. It is important that other instruments and lessons available in international development are available to local level actors, and adapted to their environment. The seventh chapter, therefore, considers the emerging sustainable development goals (SDGs) and urban agendas links to the proposed reforms under the third national decentralization plan (2015 to 2019) and the new legislation, Act 936.

From these opportunities and directions, an emerging agenda can be derived for civil society action at the national policy level as well as galvanizing and sustaining local level engagement for accountability, service delivery and participatory governance.

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