

# A Theoretical Exploration of the Evolution and Politics of Decentralisation Programmes in Ghana

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## Abstract

This article is a theoretical exploration of the evolution of the politics of decentralisation programmes in Ghana from colonial to the post colonial era. It identifies the aims and objectives of decentralized policies of successive governments in Ghana, examines their structures, functions and powers, evaluates the financial and manpower resources that were available to them during implementation processes, analyses the philosophy underlying them and assesses the achievements and failures of the decentralisation policies. The article finds out that the history of decentralisation policies and programmes in Ghana has been the history of the transfer of responsibilities to local authorities without a corresponding transfer of financial and material resources. The article concludes that formulators of decentralisation programmes in Ghana have held the 'compliance view' of implementation. They assume that once policies are formulated and announced, they would be implemented by subordinate administrators in a non-political and technically competent way. This ideological and administrative orientation of the compliance view of implementation had relegated monitoring, supervision and co-ordination of policies to the background, thereby precipitating policy failures.

**Keywords:** decentralisation policies, implementation processes, financial and manpower resources.

## Introduction

This work is a historical overview of the politics of decentralisation in Ghana from the introduction of Indirect Rule to the development of the Native Authority System in the colonial era to the Provisional National Defence Council (P.N.D.C) decentralisation policy which culminated in the establishment of the Metropolitan, Municipal and District Assemblies (D.A.s) in 1988/89 and their eventual incorporation into the 1992 Constitution of Ghana. The study also gives a description and explanation of Ghana's attempts at decentralisation enunciated in ordinances and reports of committees and commissions over the years.

## Statement of the Problem

Attempts at decentralisation of government machinery in Ghana since independence have proved ineffective, inefficient and problematic. Consequently an important question since independence has been, what kind of decentralisation is appropriate to Ghanaian circumstance? That this question is still relevant today amounts to a general admission that the forms of decentralisation programmes we have experimented in Ghana over the past have failed. The reasons often given for this failure have been many and have included the following:

- (i) Low development capacity of the decentralised areas, not unrelated to size and weak revenue and resource base;
- (ii) Lack of technical expertise;
- (iii) Poor financial administration and corruption;
- (iv) Inexperience and poor calibre of local government personnel, attributable in part to low prestige attached to and poor remuneration for service at the local level;
- (v) Unclear definitions of the distribution of functions between central government agencies and local authorities;
- (vi) Intrusion of partisan politics into local government with a view, primarily to winning political advantage and patronage for the incumbent regime; and Juggling with local government boundaries, local pressures (particularly from chiefs) and considerations of political advantage, with the result that the number of local government areas in the country has varied between as high as 282 and as low as 50 (Republic of Ghana (c) 1991: 14).

It is against the background of ineffectiveness and inefficiency of decentralisation programmes in Ghana that the Provisional National Defence Council (P.N.D.C.) launched its decentralisation programme with the establishment of the District Assemblies (D. A. s) as the highest political authority in each district in 1989.

The "District Political Authority and Modalities for District Level Elections" – the document that outlined the preliminary aspects of the PNDC's decentralisation programme states that:

In order to democratise state power and advance participatory democracy and collective decision-making at the grassroots level there is the need to set up decentralised political and administrative authorities with elected representatives of the people. The decentralised authorities will be the bodies exercising state power

as the people's local government (Republic of Ghana; (a) 1987: 1).

In this connection, the decentralisation programme was expected to help bring about qualitative changes in the country's administration, to promote effective delivery of goods and services and to facilitate the involvement of the people at the grassroots in decision-making. Grassroots participation in decision-making was intended to ensure that experience and wisdom are tapped in the pursuit of development programmes (Ayele 1990: 46).

### **Objectives of the Study**

The main objectives of the study are as follows:

- To determine aims and objectives of the decentralisation policies of successive governments in Ghana.
- To identify the structures, functions and powers of the decentralized units.
- To evaluate the financial and manpower resources were available during the implementation process and what did the decentralisation policies achieve?
- To establish the reasons for the failure of decentralisation policies to yield the desired in the quest for national development.

### **Research Questions**

The study further assumes the burden addressing the following questions:

1. What were the aims and objectives of the decentralisation policies of successive governments?
2. What were the structures, functions and powers of the decentralized units?
3. What financial and manpower resources were available during the implementation process and what did the decentralisation policies achieve?
4. Why did the decentralisation policies fail to yield the desired result?

### **Indirect Rule and the Development of Native Authority System in the Gold Coast**

Indirect rule was introduced in the Gold Coast in 1878 with the passing of the first Native Jurisdiction Ordinance and lasted until 1944. The major pre-occupation of the British Colonial authorities, until the early post-second World War era, was the question of the maintenance of law and order facilitate smooth and peaceful trade and commerce. To attain the goals of law and order, the British colonial government needed money and skilled manpower, both of which were not immediately available in the Gold Coast (Price 1967).

In the face of all these difficulties, the British colonial government could not but establish and maintain a system of local administration through the recognition and use of the existing indigenous African institutions known as "native authorities". Indirect rule, which was popularized by Lord Lugard, in a book entitled *The Dual Mandate in British Tropical Africa*, was described by Coleman (1958) as a system of local administration in which "the essential features were the preservation of traditional political institutions and their adaptation under the tutelage and direction of the British colonial administration to the requirement of modern units of local government"

Under these systems, the recognized native authorities were endowed with powers that enabled them to perform administrative, legislative and judicial functions. This functions of the native authorities included the maintenance of order and good government in their areas of jurisdiction, interposition to prevent the commission of any crime; summoning people before their courts for the settlement of land, marriage and chieftaincy disputes; (Busia 1951:141) the passing of bye-laws; working out estimates of revenue and expenditure; organising tax collection and undertaking of development programmes like the construction of schools, health centers, latrines and other welfare services Sheridan Riley (1975:309-310).

The Native Authorities also had jurisdiction over the distillation and sale of liquor; prohibiting, restricting or regulating gambling, fishing, disturbances of peace; prevention of pollution of sources of water supply; the protection of trees and the requiring of natives to report cases of infectious or contagious diseases to health authorities (Busia 1951:224). The native authorities were, however, under the supervision of the resident British administrators or the district commissioners Sheridan Riley (1975: 310). (see Figure 2.1).

The first attempt at incorporating the indigenous African institutions as local government units in the statutes of the Gold Coast was the passing of the Native Authority Ordinance in 1878. Between the passing of the above-mentioned ordinance and 1944, 13 other Ordinances were passed to regulate the functions of native authorities. Some of these Ordinances include the Native Administration Ordinance of 1833; the Town Council Ordinance of 1894; and the Native Administration Ordinance of 1933. In 1936, the Native Treasuries Ordinance legalized the importance of levies by traditional states provided they established treasuries (Nsarkoh 1964:4) (see Table 2.1).

Other laws passed to improve the structure and functions of improve the administration in the Gold Coast were, the Native Authority (Northern Territories) Ordinance of 1932; the Native Administration (Togoland Southern Section) Ordinance 1933 and the Native Authorities Ordinances of 1935 and 1944 for Asante and the colony respectively (Nsarkoh 1964:4).

The Native Authority was under the careful control of the colonial government in the exercise of the powers given to it. It was the Governor who appointed the Native Authorities and all their rule and regulations were

implemented only with his approval. Any of the laws could be revoked by him at any time. The establishment of native treasuries and the imposition of any rates, fees, annual estimates or other forms of taxation also required the governor's approval. For example, if a Native Authority applied for the Governor's permission to impose a tax, it submitted for the approval of the Chief Commissioner; the amount payable by every individual, the persons to whom the tax was to apply, the purposes for which the tax was to be collected and the period within which the tax was to be collected (Busia 1951:2145).

The Native Authorities achieved some successes in the collection of taxes, the settlement of customary disputes, the provision of social amenities like good drinking water, latrines and the construction of schools and feeder roads. Native courts administered native laws and custom practices prevailing in their areas of jurisdiction so far as these laws were not repugnant to natural justice or morality or inconsistent with any provision of any other ordinance. The courts were graded A, B, C and D depending on the status and stool of the chief. The Native Authority Ordinance made provision for appeals. For example, in land cases, in the Asante Confederacy, appeals were made to the Asantehene's court A; from there they were referred to the court of the Chief Commissioner of the Gold Coast and finally to the West African Court of Appeal (Busia 1951:143).

Despite their modest achievements the Native Authorities were beset with a diversity of problems most of which were constitutional. The Native Authorities had no jurisdiction in constitutional matters having to do with the election, installation and deposition of chiefs. Candidates or contestants to stools loyal to the colonial government were elected in most places, particularly in Ashanti even though they had no titles in native law to such offices. Confident of government support such rulers were scornful of traditional checks on chiefs. The rule of such chiefs was characterised by instability, insecurity, internecine power struggles and rebellions, as there were constant moves and agitations to replace them by men elected from the authentic lineages (Busia 1951:105-106). For example, in 1905, the people of Agona rebelled and refused to serve their chief, Kwame Boakye because he was not the rightful heir to the stool. But the colonial government supported him and ordered the people to continue serving him. Similar rebellions occurred in 1906 at Ejisu, Akropong (Ashanti) Ahinkuro and Nsuta where chiefs were similarly appointed. In each case the colonial government backed the chief and kept him on the stool (Busia 1951:106).

Finally, the educated elite were excluded, generally, from participating in the native authorities except for a few elected members from the municipalities of Accra, Kumasi, Cape Coast and Sekondi-Takoradi based on limited franchise of education and the possession of considerable property. This situation gave birth to antagonism between the traditional authorities and the intelligentsia Sheridan Riley (1975: 310).

Despite the problems associated with Indirect Rule and the Native Authority System they, nevertheless, provided a rudimentary framework for decentralisation of administration in Ghana.

### **The Watson Commission, the Coussey Committee and the 1951 Decentralisation Policy in Ghana**

The Watson Commission (1948), which was appointed by the British Government to investigate the constitutional and political problems of the Gold Coast, following the 1948 riots, observes that a significant cause of the political instability in the country was due to the remoteness of government from the people. To eliminate this deficiency, the Commission recommended a measure of devolution through the creation of regional councils, for the Northern Territories, the Colony and Ashanti, with largely executive functions and powers to make bye-laws, levy taxes and precepts on lower levels of authority (Gold Coast 1948: 3-4).

To the members of the Commission, rapid economic development and social change were incompatible with chiefly structures. The Watson Commission further recommended that a committee on constitutional reforms should be appointed to examine in greater detail the whole question of constitutional change (Gold Coast 1948: 5-6).

### **The Coussey Committee 1949**

The Coussey Committee (1949) was appointed by the British Government in accordance with the recommendation of the Watson Commission, to examine in greater detail the whole question of constitutional change in the Gold Coast. It agreed with the Watson Commission that, there were deficiencies in the Native Authority System. The Committee cited the restricted basis of membership of the native authorities, their old fashioned procedures; inadequate finance and the low caliber of its staff as some of the problems associated with the native authorities (Gold Coast 1949).

On chiefly representation at the grassroots, however, the Coussey Committee disagreed with the views of the Watson Commission and rejected the exclusion of chiefs from local government. The Committee argued that the inclusion of chiefs in a completely secular local government would not only retain the goodwill, sympathies and interest of chiefs, but would also ensure the exploitation of the administrative experience of chiefs and promote the general stability of society (Gold Coast 1949).

The Coussey Committee, with its philosophy of indispensability of chiefly representation in local government, proceeded to recommend one-third of the total membership of the proposed local and district councils to be

reserved for chiefs. It also recommended the establishment of regional councils. The three-tier system of local government was seen as unworkable for a developing country like Ghana, embarking upon decentralisation of administration for the first time. These proposals were given legal backing through the Gold Coast Local Government Ordinance of 1951 and the Native Authority System as it gave way to a largely democratically elected local government system.

### **The Local Government Ordinance of 1951**

The Local Government Ordinance of 1951, (Act 29) implemented to a certain degree the commendations of the Coussey Committee. Under the Ordinance, a two-tier system of local authority was established in the Gold Coast. The upper-tier was the District Council (either rural or urban) and the lower tier was the Local Council Sheridan Riley (1975: 313-314) (See Figure 2.2).

These councils, comprising locally elected members, served voluntarily without remuneration. They also decided the expenditure of locally raised tax revenue for a range of services within broad but well-defined parameters. Each council also employed professionally trained staff to implement the policies of the council. The president of each council was a chief, while the daily work of the Council was conducted under an elected Chairman Sheridan Riley (1975: 314).

The 1951 Local Government Ordinance separated the traditional authorities from the directly elected members, placed the councils generally in the hands of elected majorities, and accepted the fundamental function of local government as the provision of services (Ayee 1991:119). Under a new title of "Government Agent" the district commissioner was no longer responsible to the chief Secretary (which was also abolished) but acted as an agent of the Minister for Local Government. In their new role as government agents, the district commissioners acted as liaison officers between the Ministry of Local Government and the Local Councils and saw to it that central government policies were carried out effectively by the officers and members of the councils (Ayee 1991:120)

Following the victory of the Convention People's Party (CPP) in the 1951 elections, Kwame Nkrumah was made Leader of Government Business and asked to form a cabinet to run the affairs of the country. Even though Nkrumah had his personal reservations about certain provisions in the 1950 constitution and described it as "bogus and fraudulent", he nevertheless, considered the challenge of leading government business as an opportunity to introduce radical reforms within the administration of the internal self-government (Price 1967:48). In 1952, Nkrumah, as a result of the visit of the then Secretary of State for the Colonies, Oliver Lyttleton, to the Gold Coast, was appointed the first black African Prime Minister (Price 1967:48). This appointment further strengthened Nkrumah's resolve to carry out reforms within the administration of the country.

For example, the CPP and Nkrumah used "subtle" modifications to circumvent the Watson Commission and the Coussey Committee recommendations to establish regional councils. The Regional Officers, of Ashanti and the Northern Territories were to be responsible to the Minister for Local Government because there were no regional councils to which they could be responsible (Ayee 1991:121). Explaining away this deliberate omission, the Nkrumah government stated that its hands were full in getting the machinery of the district, urban and local councils into working order and maintained the existing territorial councils of chiefs – the Joint Provincial Council (J.P.C.), the Asante Confederacy and the Northern Territories would serve to represent regional feelings (Ayee 1991:121). Another reason put forward by the government was that a new administrative organization, like the regional councils, would mean the acquisition of new staff in a country where qualified men were desperately scarce (Ayee 1991:120).

At the District Council level, the Ordinance made provision for the direct and popular election form urban and local councils. The previous one-third representation of chiefs on the District Councils was seen as undemocratic and contrary to the ethos of modern local government (Republic of Ghana 1974:1-2). Chiefs were, however, invited to serve as presidents of the district councils but did not have any voting rights. Finally, the Ordinance stipulated that the management of stool lands should no longer be exercised by traditional authorities but rather by the urban and local councils concerned. This was because there had been grave abuses in the collection and disposal of stool revenue in the past. Ownership of lands, however, continued to be the collective responsibility of the tribes concerned (Harris 1983).

After the 1952 local government elections, new local authorities with two-thirds elected and one-third traditional authority representation were established throughout the country, but the actual running of these councils was not satisfactory. It led to frequent quarrels between elected and traditional authority members and anti-tax riots in some districts where the over-enthusiastic newly elected party members outran the readiness and ability of the electorate to pay, in their efforts to implement their development programmes (Ayee 1991:120). Examples of these riots were the Atwima Riots of December 1952; the Anloga Riots of January, 1953 and the Elmina Riots of May, 1953 (Ayee 1991:120).

The 1951 Local Government Ordinance did not consider the factors which should have been taken into account in establishing units of local government. The emphasis was on democratic and representative government,

hence, not much attention was paid to factors like size, population, economic viability, manpower and finance of the local government units (Ayee 1991:120).

### **The Greenwood Commission Report (1957)**

The Local Government Ordinance of 1957, as we have seen, could not solve local government problems in the Gold Coast. As a result, a special Commission, whose sole member was A.F. Greenwood, was appointed by the Nkrumah led C.P.P. government in November 1956, to study the 1951 local government structure and make recommendation for its improvement (Republic of Ghana 1960:6-8).

More specifically, the Commission was to enquire into, and report on, the structure and finance of local government units with a view to reducing their number and streamlining local financial administration

The Commission in its findings identified the influence of chiefs in demarcating the boundaries of local government units; that many of the local councils were too small in size and taxable capacity to be economically viable and this was worsened by the demand by the C.P.P. government that local councils should pay a certain percentage of teachers' salaries (Republic of Ghana 1960:10).

The Commission further found out that there was profound misunderstanding of the concept of precepts, an absence of co-operation, trust and consensus among the chiefs, local elites and the people. In addition, petty jealousies had been encouraged among the people by the local authorities and the system of tax collection had not been a success (Republic of Ghana 1960:10).

The Greenwood Report indicated that the two-tier system of local administration was not properly integrated. The Report, therefore, put forward two alternatives, Plan A and Plan B, the acceptance of either of which would abolish the tier system and establish all purpose councils, equivalent in size to the district councils but to be known as local councils (Republic of Ghana 1960:30).

Under Plan A, the smaller councils were to be abolished leaving only the district councils, renamed Divisional Councils. The main objective of this Plan was to produce large units based upon district councils where they existed and similar groupings of local authorities where they did not exist. Four important local authority functions were assigned to newly created Regional Councils - major construction works; construction and maintenance of roads; maintenance of traditional authorities and stool lands (Republic of Ghana 1960:31).

Plan B, on the other hand, abolished the District Councils and transferred all important local government functions to Regional Authorities, thus abolishing, in effect, local government areas as previously existed in the country. Under the Plan, the Regional Authority was to be responsible for; major construction works; the construction and maintenance of roads, primary and middle school education, health, water supply schemes; local authority police; maintenance of traditional authorities; management of stool lands and the administration of appeal courts (Republic of Ghana 1960:31).

In fact, Plan B had a strong bias in favour of "regionalism" – an anathema of the Nkrumah regime – and was, therefore, rejected in favour of Plan A, which abolished the two-tier system established by the 1951 Ordinance. The Greenwood recommendations were implemented between 1958 and 1960. The number of local councils was reduced from 282 to 70. The chiefs were given a Regional House of chiefs and the functions of the former state councils were hived off to the House of chiefs (Woode 1971:32)

### **The Local Government Act of 1961 (Act. 54) Under the Nkrumah Regime**

The Local Government Act of 1961, (Act. 54) consolidated the whole local government structure in Ghana, under which the two-tier system was abolished and replaced with all- purpose councils under a single-tier system. Local government under this system was classified as the city, municipal, urban and local councils, which subordinate only to the central government (Republic of Ghana 1960) (See Figure 2.3).

With regard to membership, the councils were to consist of popularly elected councillors. The Nkrumah government had passed the chief's Law along with the Local Government Law of 1961, which gave statutory recognition to the chiefs' ceremonial and traditional functions but "banished" them from the administration of local government affairs. Even though local councils were deemed to have been completely constituted by the elected members, they were in practice composed of C.P.P. appointed members (Ayee 1991:169).

Under the Local Government Act, the councils performed functions like, restriction and regulation of the movement of livestock; the establishment, maintenance and management of primary and post-primary schools; the granting of bursaries and scholarships to persons to pursue local and international courses; the establishment and maintenance of public libraries, museums, parks and gardens; the promotion of art and crafts; tree planting and the regulation of the production and sale of liquor (Republic of Ghana 1961).

In 1962, Nkrumah declared that in future a "district shall not only constitute a local council area administered by a District Commissioner, but shall also constitute an electoral constituency" (Ayee 1991:169). This directive influenced the Boison Delimitation Commission of 1965, which laid down the principle that;

The boundaries of urban local councils and the administrative of District

Commissioners should as far as possible, be coterminous with rural electoral districts (Republic of Ghana 1965).

This recommendation resulted in the extensive fragmentation of local government units from 59 in 1957 to 183 in 1966. The fragmentation of local government units had certain effects on the C.P.P. government itself, local government units and local and traditional authorities. First it created more problems for stability and maintenance of law and order than the C.P.P. regime could resolve. In Ashanti, for example, the number of local government units was reduced from 83 to 7 during the Greenwood phase, increased to 20 during the second phase and finally increased to 27 during the Boison phase. In the Volta Region, the Ho District, our case study area, which had only one local authority in 1958/59, was served as electoral constituencies Barbara Callaway (1970:121-144).

Secondly, the fragmentation led to lack of cohesion among many local government units. Furthermore, on account of inadequate roads and other communication facilities, the outlying areas of local government units remained remote from centers of local government administration. An example of this remoteness could be found in the Anlo Local Authority in the Volta Region, where villages like Alakple, Nolopi and Hatorgodo (over 80 miles from the headquarters in Keta and separated by 15 miles wide Keta Lagon) were provided with no local government services despite the fact that rates were collected from them (Ayee 1991:169).

Finally, the fragmentation of local government units led to the development of strong local particularism which exacerbated traditional rivalries, especially where two or more paramount chiefs happened to be within one local government unit. Such paramount chiefs resorted to appealing to the central government and putting pressure on their parliamentarians for the creation of local government units to be coterminous with traditional authority boundaries. An example of this demand for the creation of separate local authorities and the struggle over the siting of headquarters was the case of the three paramount chiefs whose traditional areas constituted the Akwamu-Anum-Bosso Local council (Barbara Callaway 1970:121-144).

#### *Personnel*

In 1958, a Local Government Service Commission was established to safeguard and control the conditions of service of local government employees. Steps were taken to create a unified local government service in order to attract competent staff. In early 1965, the Local Government (Amendment No. 3) Act, vested the Minister for Local Government, in consultation with the Local Government Committee, with responsibility for recruitment, promotion, transfer and discipline of the senior council officials. The central government then assumed direct responsibility for the payment of the salaries of these officials. These measures standardized staff control matters and ensured protection of council officials (Ayee 1991:169).

Local authorities committed financial irregularities, the majority of which were done under political pressure from councillors, District Commissioners and party executives. In addition, there was no clear-cut definition of the functions of the administrative officials and those councillors. This was in itself, a structural weakness of the councils. There was no effective co-ordinating machinery within the administrative sector. For example, almost all local authority internal auditors worked as clerks in the treasurer's department. This arrangement limited their to check council accounts independently and effectively (Republic of Ghana 1968:68-69)

Furthermore, the recruitment and treatment of junior staff was haphazard. Market tool collectors and low-grade staff were recruited on party ward basis. Senior officials, therefore, had great difficulty in controlling and disciplining them whenever they defaulted. In addition, a majority of the junior staff was untrained because local government units generally failed to attract competent staff account of the low prestige attached to, and the low remuneration for, service in local government units. For example, in 1967 only 32 officers in the employment of local and urban councils in the country held the diploma in public administration (Republic of Ghana 1968:68)

The "separate system" of personnel administration, whereby each local authority was vested with power to appoint and discipline its own staff and prescribed what salary scales to offer its own staff, subject to section 125, of the Local Government Act, 1961, had certain defects. It generated nepotism, tribalism and corruption in local personnel administration (Republic of Ghana 1968:6)

Another result of the separate personnel system was that the pay of council officials was inadequate and low as compared with the civil service salary scales. Quite apart from not being paid, councillors had their sitting allowances progressively reduced and finally completely withdrawn in 1964 (Republic of Ghana 1968:70-71)

#### *Finance*

The fragmentation of local government units by the Nkrumah regime incapacitated many a local council with respect to the provision of essential services and the meeting of local development demands. Block grants, reimbursements for certain salaries diminished from ₵ 1,905,488 in 1959/60 to ₵ 1,077,500 in 1960/61 to only ₵400,000 annually between 1964 and 1966. The curtailment of funds came about at the time local authorities were faced with the onerous financial burden imposed by the accelerated and expanded education programme initiated in 1961 (Republic of Ghana 1968:46)

The diminished grants-in-aid to the local government units could be explained by the fact that the central government itself was in deep financial crises, caused by a drop in the world market price of cocoa, balance of payment difficulties and huge budget deficits caused by prestigious projects launched by the Nkrumah government, under the seven year Development Plan in 1963 (Ayee 1991:169).

Local Government in Ghana since independence to the overthrow of the Nkrumah regime in 1966 was marked and marred by certain characteristics which may be summarised as follows:

- (i) Too frequent demarcations and re-demarcation of local government boundaries because of varying opinion on the relationship between size and population on the one hand and economic viability and efficiency on the other. These frequent demarcations led to the existence of many small and economically unviable local government units, lack of cohesion, the de of local particularism and the struggle over the location of district headquarters.
- (ii) Less consideration was given to factors like size, population, economic viability, manpower and finance.
- (iii) Much publicity was given to popular election of members of the local councils. Despite this publicity on popularly elected membership of the councils, the councils were dominated by CPP members hand-picked by the Nkrumah government.
- (iv) Poor calibre of local council staff and corruption especially the embezzlement of stool funds. Council staff had their salaries periodically reduced and councillors had their sitting allowances progressively reduced and eventually withdrawn in 1964.
- (v) The one-third chiefly representation on local government bodies was gradually and systematically eroded and chiefs were finally withdrawn from being members of the councils and hived off into houses of chiefs with functions of the former state councils transferred to them.

### **The 1966 Coup and the Decentralisation Policy of the NLC, 1966 – 1969**

The CPP regime led by Nkrumah was overthrown in a bloody military coup on the 24<sup>th</sup> February, 1966 and replaced by the National Liberation Council (NLC).

#### *Reasons for the 1966 Coup*

The reasons that led to the overthrow of the Nkrumah regime could be classified as domestic or internal and external. The internal reasons were political, socio-economic, ideological and military in character.

Politically, the Nkrumah regime had proved particularly oppressive and dictatorial. The oppression and dictatorship manifested themselves in arbitrary dismissals and the passing of the Preventive Detention Act (PDA) of 1958, which provided for detention without trial, of any group of persons, or individual whose activities were considered as constituting a threat to national security (Adu Boahen 1975:207-220).

The ideological reasons for the overthrow of the Nkrumah regime were intricately linked with the economic reasons. The introduction and practice of socialism as a strategy for development from 1961 to 1966 came with a new system of purchase tax; a compulsory savings scheme of 5 per cent deducted at source on incomes of over £ 120 per year; and a complicated system of exchange control and import licensing (Adu Boahen 1975:213). These resulted in a split into two groups (pro-socialism and anti-socialism) of the Nkrumah cabinet<sup>58</sup> and an acute shortage of essential commodities in the country (Adu Boahen 1975:207).

Furthermore, Nkrumah had himself become increasingly superstitious, distrustful of his ministers, corrupt and immoral (Adu Boahen 1975:213). In 1964, he converted the country into a single party state through a plebiscite that was believed to have been rigged. By this action, Nkrumah had rendered changing the government of the country by constitutional means impossible (Adu Boahen 1975:212).

After an unsuccessful attempt on his life in January, 1964, at the Flagstaff House by Ametewee, a police constable, Nkrumah disarmed the police and detained two police heads – Eric R.T. Madjitey (Commissioner of Police) and S.D. Amaning (Assistant Commissioner of Police) and dismissed all the regional police heads (Adu Boahen 1975:220).

Perhaps, the most important reason for the overthrow of the Nkrumah regime was Nkrumah's alienation of the regular army. The regular army had by 1965 not only felt humiliated, but threatened by the Presidential Guards (Nkrumah's personal army) set up in 1963 under Russian officers. The Presidential Guard was well-dressed and equipped with modern weapon and controlled all the secret military camps at Elmina Castle, Akosombo, Afienyia and Okponglo. The regular army, on the other hand, was going without boots on their feet and with rickety equipment and vehicles (Adu Boahen 1975:213).

Finally, the retirement of General Otu from office as the Chief of Defence Staff and of General J.A. Ankrah as Chief of Army Staff in 1965 and their replacement with General Aferi and General Barwah respectively in the same year, coupled with Nkrumah's declared intention to send the ill-equipped and unprepared regular army to fight against the Unilateral Declaration of Independence in Rhodesia by Ian Smith in 1965, was the last straw that broke the camel's back. This move was seen as an attempt to wipe out the regular army from existence (Adu Boahen 1975:220). The external reasons for the overthrow of Nkrumah included the devotion of much time

and money by Nkrumah and the CPP to assist in the struggle for independence in other African countries then under colonial domination and in spearheading the formation of the Organization of African Unity (OAU) much to the detriment of the economy of Ghana.

### **The Decentralisation Policy of the National Liberation Council ((N.L.C.) 1966 - 19669**

The National Liberation Council (N.L.C) was dissatisfied with the administrative structure it inherited from the Nkrumah regime. Consequently, one of the very first actions the N.L.C. took was to review the structure of government. The number of ministries was reduced from 31 to 17 and the number of secretariats from 23 to 8. The N.L.C. also replaced all the C.P.P. Regional and District Commissioners and reduced the number of districts from 161 to 47 (Pinkney 1972:102)

The District Council was then placed under the control of the District Administrative Officer (D.A.O) a generalist drawn from the elite administrative class of the civil service (Pinkney 1972:202)

The membership and functions of the 183 urban and local councils were taken over by “management committees” consisting of three civil servants and a public nominee and chaired by the D.A.O. This set-up was changed in early 1968, when the chiefs and additional nominees were added and the chairmen were elected from amongst the members (Harris 1983:201-204).

The N.L.C. established a number of commissions to probe many of the institutions subject to the “democratic centralism” of the C.P.P. regime (Harris 1983: 202). The most important of these commissions were the Commission on the Structure and Remuneration of the Public Service (Mills – Odoi Commission Report, 1967) the Constructional Commission (Akuffo Addo Report, 1968) and the Commission Report Part III, 1968. Taken together, the recommendations of two of these commissions, namely the Mills-Odoi and the Siriboe Commissions, provided a detailed general model of decentralised administration that marked a “watershed in Ghana’s administrative reforms” (Harris 1983:202).

The major changes proposed by the Commissions in the structure of local government were;

- (i) Instead of a single-tier but fragmented structure, a four-tier structure was proposed consisting of Regional councils; Municipal/Area/Local Councils; and Town and Village Development Committees at the regional, district and town/village levels respectively;
- (ii) The District Councils were to be large, economically viable and capable of providing all government services at the local level;
- (iii) Regional Councils were to serve as planning links between the centre and the periphery and to assist in sounding regional opinion and demands in the process of nation building;
- (iv) Chiefs, who were excluded from local government bodies by Nkrumah’s Local Government Act of 1961, because they were considered divisive forces, were to be included in the membership of local authorities on account of the influence they wielded among their subjects at the grassroots (Aye 1988:28-29)

### ***Finance***

The management committees were over-dependent on central government subsidies and often failed to provide basic amenities such as public lavatories out of the rates collected. Between 1966 and 1969, block grants to the management committees amounted to ₵ 3,123,152, while development grants totalled ₵ 1,075,000. In the 1968/69 budget, ₵ 2.6 million was made available to regional committees for projects which were of local significance and an immediate objective was to establish a viable reporting system on their physical progress (Aye 1991:200).

### **Decentralisation Policies of the Busia Regime (1969 – 1972)**

The combined wisdom in the recommendations of the Mill-Odoi and the Siriboe Commission Reports together with their accompanying White Papers were largely incorporated into chapter 16 of the 1969 Republican Constitution of Ghana. Chapter 16 of the constitution which was devoted to “Chieftaincy and Local Government”, laid down a three-tier structure of local government which consisted of Regional, District and Local Councils. It also outlined the membership of these councils and prescribed systems of grants-in-aid to be administered by a local Government Grants Commission (West Africa Magazine Jan-Feb 1971:130-131).

Local Administration Bill, 1971, which was passed into the Local Administration Act 1971 (Act. 359) was an attempt to find a proper and workable balance between a system of quasi-autonomous elected councils which had proved disastrous throughout Africa in the past and a straightforward administration by agencies of central government. The Bill, in fact, offered something more than local administration by civil servants, but a good deal less than local government (West Africa Magazine Jan-Feb 1971:130-131).

*The Structure of the Local Administration Act of 1971, (Act. 359)*

The Local Administration Act of 1971, had a three-tier structure which consisted of Regional, District and Local Councils.



### *Regional Councils*

Membership of the Regional Councils comprised indirectly elected councillors from the District Councils; two seats from the Regional House of chiefs; regional heads of ministries (who were to have no votes) and professional officers. The chairmen of the Regional Councils were appointed by the Prime Minister in his full discretion to give political direction to the councils. The chairman of the Regional Administrative officer stood to him in the relationship of a principal secretary to a minister (West Africa Magazine Jan-Feb 1971:130-131).

The Regional Council was primarily a planning body, concerned with development plans and programmes of the region. It was also responsible for the approval, co-ordination and supervision of development programmes of the districts in the region. In addition, the Regional Council was charged with the allocation of public funds to the District Councils on behalf of the Local Government Grants Commission (West Africa Magazine Jan-Feb 1971:130-131).

### *District Councils*

At the District Council level, the government's intention was clearly articulated in the Memorandum to the Bill that "the District shall be the fundamental local government unit and was to be essentially a community development authority, with strong staff capable of carrying out government functions at the district level" (West Africa Magazine Jan-Feb 1971:130-131).

Membership of the District Council as proposed in the first draft of the Bill, prescribed that two-thirds majority should be elected indirectly by a "District Electoral College" of all the local council members in the district. But this was later dropped and left to the discretion of the Electoral Commissioner. One-third of the membership was to comprise traditional authorities in accordance with the 1969 constitution (West Africa Magazine Jan-Feb 1971:130-131).

Apart from its statutory functions of the provision of services and development, the District Councils were to perform "such other functions (not excluding commercial activities) as the minister for Local Government might authorize or the Regional Council might delegate" (West Africa Magazine Jan-Feb 1971:130-131).

The chairman of the District Council, just like the chairman of the Regional Council, was appointed by the Prime Minister and the District Administrative Officer was the secretary to the District Council.

### *Local Councils*

The third-tier was the Local Councils which consisted of Town/Village Committees within the District Council. These Local Councils were charged with the collection of taxes, the maintenance of law and order, communal labour for development projects and any other functions that might be delegated by the District Council to them (Republic of Ghana 1971:4)

### *Finance*

A Local Government Grants Commission, which was proposed by the Akuffo-Addo Commission and supported by the Siriboe Commission, was incorporated into the 1969 constitution. This was to protect the District Councils from domination through central government financial control. Funds were lodged with the Regional Councils for allocation to the District Councils subject to authorization of the Local Government Grants Commission (Aye 1991:209-215).

In the words of Ronald Wraith, the establishment of the Local Government Grants Commission was; clearly an insurance against repetitions of the events of the 1960's when many local the councils were so starved of resources that their functions and indeed their purpose became somewhat nominal (Aye 1991:210).

## **The 1972, Military Coup and the Decentralisation Policies of the NRC/SMC 1972 – 1978**

The Busia led Progress Party (P.P) regime was overthrown on the 13<sup>th</sup> January 1972, in a military coup and replaced by the National Redemption Council (N.R.C.) chaired by the then Col. I.K. Acheampong.

### *Reasons for the coup*

Busia had persistently criticised Nkrumah's centralist political machinery while in exile in Britain. Unfortunately, however, within two years, the liberal-democratic atmosphere that surrounded his regime had eroded and had been replaced by an increasing evidence of a return to central domination. The confrontations and abrasive political style of Busia himself had alienated a significant section of the Ghanaian populace including students, civil servants, the judiciary and farmers (Aye 1991:210).

In addition, there was a general economic mismanagement which resulted in food shortages and a level of inflation that led to drastic budgetary measures including 40 per cent devaluation of the cedi in July, 1970. The introduction of hospital and school fees coupled with the sharp increases in the prices of essential goods quickly led to wide-spread discontentment. The inefficiency and corruption of the chit system, whereby farmers (who were already appalled by declining incomes from cocoa) received vouchers in place of cash for their cocoa, sparked off a strong feeling of dissatisfaction against the Progress Party government even in Busia's strongholds of Ashanti and Brong-Ahafo (Aye 1991:210).

These reasons, among others, were used by the military to justify the overthrow of the Busia regime.

Upon coming into power, Col. I.K. Acheampong and the N.R.C. suspended the constitution, dissolved

parliament and disbanded all political parties. The Local Administration Act of 1971 was also thrown into the dust-bin of history. The N.R.C. immediately brought the regions under Regional Commissioners and the District under the control of “management committees” until the promulgation of the Local Administration (Amendment) Decree, NRC D 258, of Act 1974 which introduced a new local government structure.

#### **The Local Administration (Amendment) Decree, NRC D 258, of Act 1974**

The Local government system of 1974 was the result of the Local Administration (Amendment) Decree. NRC D 258, 1974, which replaced the Local Administration Act 1971, (Act 359). As earlier stated in this chapter, the 1974 local government system was also the result of the recommendations of the various commissions that probed local government problems in the post-1966 coup era. The 1974 local government system sought to minimise the trend towards excessive centralisation of authority and responsibility in the conduct of public affairs. In this connection, there was a determined effort towards decentralisation of planning and programming, co-ordinating and decision-making to the district level (Quaye 1976:12-16).

Conceptually, the 1974 local government system was designed to;

- (i) Give practical effect to the policy of decentralisation of administration in the country including planning, co-ordination and decision-making by local authorities;
- (ii) Place increased emphasis on development of rural areas; and
- (iii) Effectively involve the people in the development process (Quaye 1976:13).

#### *Structure*

Based on the philosophy of institutional integration and manpower absorption, the 1974 local government system had a four-tier structure comprising;

- (i) Regional Councils;
- (ii) District Councils;
- (iii) Municipal, Urban, Local and Area Councils and
- (iv) Town /Village Development Committees (Quaye 1976:13).

#### *Regional Councils*

The Regional Councils at the apex of the structure were composed of two representatives of each District Council and the Regional Heads of Departments and were chaired by the Regional Commissioners – the political heads of the regions and representatives of the Head of State. The Regional Councils were responsible for development planning and programming for each region. In this regard, they examined and approved estimates of the District Councils within the framework of broad policy directives and allocated funds to the District Council (Quaye 1976:13).

#### *District Councils*

Under the Regional Councils, were the 64 District Council, whose membership consisted of two-thirds central government nominees and one-third traditional authorities. The numerical strength of the councils was between twenty-one and twenty-seven and they were chaired by a District Chief Executive appointed by the Public Service Commission (Harris 1983:203).

One of the weaknesses of the former local government systems was the concentration of power in the hands of a few council members, elections on grounds of party affiliations and the seeking of party interest as opposed to community interest. The 1974 local government system was, therefore, non-elective and meant to create a district council which would be a deliberative and a consultative body concerned with determining broad policy objectives and critically assessing the programmes of the council (Republic of Ghana 1974:1-2).

This restructuring is termed “nominal” because the personnel of the so-called decentralised departments retained membership of their parent ministries and departments for technical guidance, transfers, training, promotion and posting. The council had no control whatsoever over the civil service personnel (Aye 1991:209-225).

The District Councils performed functions like the provision of markets, streets, lorry parks, primary and middle schools with those previously controlled by the central government at the district level such as health, education, agriculture and public works in order to pursue a comprehensive development of the district. To this end the local government service was absorbed into the civil service and the personnel for the district councils were drawn from integrated public services (Harris 1983:203).

#### *Municipal/ Urban/Local Councils*

The smaller councils beneath the District Councils in the third tier were the Municipal/Urban/Local Councils. Under the 1974 setup, 273 such councils were proposed. They were subordinate to the District Councils and performed functions, such as were delegated to them by the District Councils (Quaye 1976:14).

#### *Town/Village Development Committees*

The four-tier at the base of the 1974 local government system was the Town/Village Development Committees. Even though the membership of these committees was not stated the decree gave power to the district councils to appoint any person who had demonstrated interest in the development of his area as a member (Quaye 1976:14). The functions of these committees generally included the collection of basic rates, the contribution of labour or

money towards the execution of projects and general sanitation (Quaye 1976:14).

#### *Problems of implementing the 1974 Decentralisation programme*

Despite the provision of an elaborate legal framework, the 1974 decentralisation programme failed to achieve its goals. Several factors conspired to bring about this failure. First and foremost no effective political authority was established at the district level to oversee the structure. Its implementation was left in the hands of bureaucrats who reluctant to relinquish the power they had exercised over the years (Quaye 1976:14).

Secondly, in trying to decentralised, the regions were made very strong and therefore became “additional bureaucratic road-blocks” in the attempt to decentralise power to the local level. Thirdly, the “rhetoric” of decentralisation was not manifested in the “practice” of decentralisation. This was because the functions that were transferred to the district councils were not accompanied by a simultaneous transfer of power and means which are the sine quo non of effective decentralisation (Quaye 1976:14).

Fourthly, no conscious effort was med to ensure that the departments which were to become the departments of the district council under section7 (i) of N.R.C.D. 258, actually operated (Quaye 1976:14).

#### **Decentralisation under Supreme Military Council II (S.M.C. II) 1978/79**

General Acheampong was overthrown in a palace coup on July 5, 1978, by Lt. General F.W.K. Akuffo. The main reasons for the overthrow were that General Acheampong had mismanaged the economy of the country and had brought the military into disrepute with his “Unigov” philosophy. The S.M.C I was, therefore, replaced with S.M.C. II and the March 1978, referendum results on the concept of “Unigov” nullified. But the S.M.C. II and Akuffo were reluctant in acceding to demands for a return to constitutional civilian rule and started preaching the virtues of a non-party national government (Aye 1991:209-234). The articulate sections of the Ghanaian populace were not slow in identifying the non-party national government as a come-back of the “Unigov” idea under a different label. The resultant strikes, boycotts and demonstrations by students, civil servants, the Ghana Bar Association etc, led to a declaration of a state of emergency in November, 1978 (Aye 1991: 234).

The relevant of these events to the decentralisation policies of the S.M.C. II was that it forced the S.M.C. II to organise local government elections on a non-party basis. To give all effect to this policy, the S.M.C. II government promulgated a new Local Government (Amendment) Decree, S.M.C.D. 194 of 1978 (Aye 1991: 235).

#### **Policy objective of the S.M.C. II Decentralisation Programmes**

The main policy objective of the S.M.C. II according to General Akuffo was to:

Attempt a fusion of traditional functions of local authority with those of local departments of decentralisation ministries and departments (West Africa Magazine November 6, 1978:2218).

The decree envisaged that policy that decisions would remain the preserve of elected representatives of the people, while the District Chief Executive and the local departmental heads were to manage affairs of the councils on day-to-day basis. It was hoped that his arrangement would result in the fusion of functions and lead to a meaningful combination of scarce financial and manpower resources for accelerated development (West African Magazine November 6, 1978:2218)

#### *Structure*

The four-tier structure of the 1974 local government system, under the N.R.C and the S.M.C I regimes, was retained. Unlike the appointment of two-thirds of the councillors under the N.R.C and S.M.C I, the S.M.C.D. 194 of 1978, stipulated that the district councils should have two-thirds of their total membership directly elected. The remaining one-third was chosen by traditional authorities (Aye 1991: 236).

This provision was in accord with the 1971 Local Administration Act, and was designed to bring the elective principle to the structure of local government since one cannot conceive of local government without conceding popular elections (Aye 1991: 237).

#### *The November, 1978, Local Government Elections*

The November, 1978, district council elections were seen by many political analysts, including aspiring politicians and former cabinet ministers as an attempt to test the political pulse of the country by the S.M.C II. Prevailing speculations prior to the elections that the district councils would serve as electoral colleges for electing parliamentarians to the National Assembly, under the non-party national government proposed by the S.M.C. II, attracted politicians who had no strong interest in local government affairs.

The low turnout at the November, 1978 elections and the obvious party affiliation of many of the candidates resulted in the withdrawal of the “national government” proposal in December, 1978. As a replacement, it was announced that the general elections of June, 1979 would be contested on party basis (Aye 1991: 238).

In between the general elections of June, 1979, and the inauguration of the Third Republic, came the June 4 Uprising of the Armed Forces Revolutionary Council (A.F.R.C.) led by Flight Lieutenant J.J. Rawlings. This

uprising led to the overthrow of the S.M.C. II and the declaration of a “house cleaning campaign” which resulted in the arrest and trial of a military tribunal and execution by firing squad of eight senior military officers including three former heads of state, General A.A. Afrifa; General I.K. Acheampong and General F.W.K. Akuffo (West Africa Magazine November 6, 1978:2218)

The decentralisation policies of S.M.C. II opposed To Whom It May Concern previous attempts, involved deconcentration as well as devolution. The fact that local government elections were actually held was a demonstration of the commitment of the Akuffo regime to offer Ghanaians some form of political decentralisation (Ayee 1991: 239).

### **Decentralisation Policies of the Third Republic under Dr. Hilla Limann 1979/81**

After winning the June 1979 general elections, the Limann led People’s National Party (P.N.P) government took over power from the A.F.R.C. in September 1979. The “Directive Principles of States Policy” of the 1979 constitution had provided for the decentralisation of the political and administrative machinery to the regions and the districts to ensure effective administration and the control of government business at the regional and district levels (Republic of Ghana 1979).

#### *Structure*

The Local Government Administration of 1979 – 1981, had a three-tier structure, which consisted of Regional and District Councils and Town/Village and Area Committees. The Regional Council was headed by a Regional Minister. At the District Council level, provision was made for an elected chairman and a vice-chairman of the District Councils. There was also a clerk of council who served as a secretary to the District council (Republic of Ghana 1979). (See Figure 2.5).

The councils were to perform much the same functions as those provided for under the Local Administration Act 1971 (Act. 359). The creation of a Local Government Grants Commission was made mandatory and the Limann government was required to establish it within one year of coming into office. The constitutional provisions on local government administration were further consolidated by the Local Government (Amendment) Act (Act. 403) which was passed by parliament in 1980 (Ayee 1991: 240-241).

#### *Finance*

The return to civilian rule saw the coming of the supposed decentralised departments under strong ministerial control, thus revealing the impracticability of the constitutional policy directive on decentralisation. The establishment of the Local Government Grants Commission could not have any impact on this trend towards centralisation (Ayee 1991: 239). This was because the Commission lacked independent sources of funds and functioned more as a clearing house for request for central departmental finance for specific district council projects, rather than an independent funding agency (Ayee 1991: 239). It was this lack of finance and pressure of district demands that prohibited the development of a standard disbursement formula until August, 1981, when the method based on population of the districts was adopted (Ghanaians Times, Aug 21, 1981). The decentralisation programme of the Limann government was not fully implemented before the overthrow of the regime in December, 1981 (West Africa Magazine Jan 11, 1982:69)

### **Decentralisation Polices of the P.N.D.C.: The Interim Management Committee System of 1982 – 1988**

The December 31, 1981, military coup toppled the Limann led People’s National Party (P.N.P.) regime and replaced it with the Provisional National Defence Council (P.N.D.C) under the chairmanship of Flight Lieutenant Jerry John Rawlings.

#### *Reasons for the overthrow of the Limann Administration on December 31,1981*

The failure of the Limann administration to combat corruption and the marked deterioration in the country’s economy, about which many politicians seemed little concerned, was what provoked the December 31 coup.

The situation at the time was bemoaned by Limann himself in the following words:

Incompetence, lack of feeling and insensitivity to public expectation while clinging only to privileges and fringe benefits at public expense can lead to ridicule and the slow death of civilian rule (West Africa Magazine Jan 11, 1982:67-69)

Flight Lieutenant Rawlings, in his December 31, 1981, policy statement broadcast, described the Limann government as the “most disgraceful government in the history of Ghana” and accused it of repression, corruption and divide rule tactics that was characterised by dismissals from the armed forces and the police (West Africa Magazine Jan 11, 1982:67-69). Flight Lieutenant Rawlings further accused the Limann administration of going back on its promise continue the “house-cleaning exercise” and of allowing corruption, greed and the mismanagement of the economy of Ghana to prevail (West Africa Magazine Jan 11, 1982:70). According to Rawlings the Limann government also turned the hospitals into graveyards and the clinics into death transit camps where men, women and children died daily because of lack of drugs and basic equipments (West Africa Magazine Jan 11, 1982:70). As a result of these: To many of us, if not to all of us, democracy does not just mean paper guarantees of abstract liberties, it involves above all food clothing and shelter, in the absence

of which life is not worth living (West Africa Magazine Jan 11, 1982:70).

The first six years of the P.N.D.C. regime was therefore pre-occupied with a vigorous economic recovery effort – the Economic Recovery Programme (E.R.P.) so much so that little attention was paid to local government restructuring. As a result local government affairs in the country were taken over by “management committees” as was the case with previous military regimes.

The Interim Management Committee (IMC) system of 1982 – 1988, was established in accordance with the P.N.D.C. Law 14 (Local Government Interim Administration Law, 1982). The Law dissolved the membership of each I.M.C., was to be determined by the Secretary for Local Government with the approval of the P.N.D.C. The I.M.Cs were headed by chairman who exercised the powers of the District Chief (D.C.E.) appointed by the P.N.D.C. and latter designated District Secretaries (PNDC Law 14, 1982).

The I.M.C’s performed the same functions as the councils that were in existence immediately before the coming into force of the P.N.D.C. Law 14. They operated within a four-tier structure similar to the 1974 local government system despite the proposed three-tier system (Ayee 1988:2). The I.M.C’s performed local government functions until elections to the District Assemblies in 1989. Ghana, as might have become clear from this overview of the evolution of decentralisation of administration, has had many changes in local government systems. In fact, from the time of independence in 1957 to 1988, Ghana has had eight changes in her local government system, excluding the District Assemblies and ten commissions/committees of enquiry into local government problems since independence (See Tables 2.2 and 2.3). Despite the frequency of changes in government system, decentralisation of administration in Ghana has failed to yield the expected results. The reasons for this failure may be noted briefly. The low development capacity of the decentralised areas, not unrelated to size and weak revenue and resource base; poor financial administration and corruption; lack of technical expertise; inexperienced and poor calibre of local government personnel, attributable in part to low prestige attached to and poor remuneration for service at the local level; unclear definitions of the distribution of functions between central government agencies and local authorities; intrusion of partisan politics into local government with a view, primarily to winning political advantage and patronage for the incumbent regime; and the joggling with local government boundaries on account of differing conceptions of the relationship between size and efficiency; local pressure – particularly from chiefs; with the result that the number of local government areas in the country has varied between as high as 282 and as low as 50. The history of local government in Ghana, as one scholar has aptly put it, has therefore been “the history of an unsuccessful attempt at finding an appropriate balance between democracy and efficiency (Ayee 1991:249).

It is against this background of failure of the decentralisation programmes to have effective impact on development in Ghana that the District Assemblies were established with a view to giving decentralisation of administration a more meaningful development push.

### **The District Assembly System of 1988/89 under the P.N.D.C. Government**

The P.N.D.C launched the “Blue Book” on district political authority and modalities for district level elections on 1<sup>st</sup> July, 1987. This was followed by the promulgation of a Local Government Law in November, 1988 – Local Government Law 1988 (PNDC Law 207) to give legal backing to the decentralisation policy. The law was aimed at a “radical” reform of local government in Ghana.

#### *Policy Objectives*

The policy objectives of the P.N.D.C. Decentralisation programme, like those of the SMC II were geared towards both political and administrative decentralisation. These objectives include popular participation in decision-making processes; efficiency; effectiveness, probity and accountability; responsiveness, stability and an integrated approach to development (Ayee 1990).

#### *Structure*

The P.N.D.C decentralisation programme adopted a three-tier local government structure which consists of Regional Co-ordinating Councils (R.C.C.s), the District Assemblies (D.A.s) and Town/Area Councils and Unit Committees (See Figure 2.6).

#### *Regional Co-ordinating Councils (R.C.C.s)*

At the apex of this structure is the R.C.C. in each region which is composed of between 17 and 45 members, including the P.N.D.C. Regional Secretary; all P.N.D.C. District Secretaries of the districts in the region; all presiding members of the District Assemblies in the Region; and the Regional Administrative officer, who acts as Secretary to the R.C.C. The R.C.C. is chaired by the P.N.D.C. Regional Secretary (PNDC Law 207).

In an address on the role of the R.C.C.s at the inauguration of the Western Region R.C.C on August 10, 1989, the chairman of the P.N.D.C., Flight Lieutenant Rawlings pointed out that;

To ensure the success of the new machinery, there is the need for the creation of a focal point to rationalise the competing needs and co-ordinate the development programmes of the District Assemblies in the region from a broader perspective (Republic of Ghana, MOLG 1991: 100).

The functions of the R.C.C., among others include the following:

- (i) The co-ordination and formulation of integrated plans and programmes for District Assemblies in the region and to harmonise these plans and programmes with National development policies and priorities for the approval of the P.N.D.C.;
- (ii) To monitor the implementation of programmes and projects;
- (iii) To plan at the regional level and to integrate all departmental programmes in the region;
- (iv) To allocate to the districts in the region as appropriate, public funds under estimates approved by the P.N.D.C and grants-in-aid made to the districts in the region and to review and co-ordinate public services generally in the region (PNDC Law 207).

#### *The District Assemblies (D.A.s)*

The second tier of the 1988/89 decentralisation programme is the District Assembly (D.A.) whose membership consists of the P.N.D.C District Secretary (D.S.); two-thirds elected members by universal adult suffrage and one-third nominated by the P.N.D.C (Ayee 1991:249). The District Assembly is chaired by a presiding member who is elected by at least two-thirds of the total membership of the D.A (PNDC Law 207). This is a controversial provision, because in some District Assemblies, several months were spent before achieving the required two-thirds majority. For example, there were deadlocks in the election of presiding members of the Tema, Kumasi and Bolgatanga District Assemblies. The Kumasi Metropolitan Assembly, for instance, is on record to have voted 17 times before electing a presiding member during the eighteenth round (Peoples' Daily Graphic July 25, 1991).

The nomination right of the P.N.D.C. had been strongly criticised as amounting to a politicisation of the District Assembly; since 70 per cent of the presiding members subsequently elected by the District Assemblies throughout the country turned out to be nominated members (Ayee 1991:249-250). The P.N.D.C. has, however, defended its right of nomination on the grounds that it would "enable the country to make use of skilled, dedicated and patriotic people who do not want to go forward for the election" (Ayee 1991: 250).

The functions of the District Assemblies which are quite numerous may be summarised as follows:

- (i) Responsibility for the overall development of the district through the preparation and submission of development plans and budget of the district to the P.N.D.C. for approval;
- (ii) Formulation of programmes and strategies for the effective mobilisation and utilisation of the human, physical financial and other resources in the district;
- (iii) The provision of basic infrastructure;
- (iv) The maintenance of security and public safety in the district;
- (v) And to ensure ready access to the district for the promotion of justice (PNDC Law 207: 8).

#### *The Executive Committee of the District Assembly*

The Executive Committee of the District Assembly is composed of one-third the total membership of the District Assembly; and is chaired by the District Secretary. It is in charge of the day-to-day administration of the district. The presiding member of the District Assembly is excluded from being a member of the Executive Committee in order to avoid conflict between him and the District Secretary. The Executive Committee is aided by sub-committee in the performance of the Assembly's functions. These sub-committees include; the Economic Development; Social Services; Technical and Infrastructure, Justice and Security and the Finance and Administration sub-committees. To facilitate effective participation in the affairs of the Assembly, every member is required to serve on at least one of the sub-committees (PNDC Law 207).

#### *Town/Area Councils and the Unit Committees*

The third tier of the 1988 decentralisation programme consists of the Town/Area Councils and the Unit Committees. The Town/Area Councils comprise all elected Assembly members and all Zonal Organising Assistants of the Committees for the Defence of the Revolution (C.D.R.s) in the Towns/Areas concerned and the representatives of the Unit Committees in all the areas/towns concerned (Republic of Ghana, MOLG, 1991: 3)

The functions of the Town/Area Councils may be summarised as; the numbering and keeping of records of real estate property; the collection of rates; tree planting; prevention and control of bushfires; the implementation of economic development schemes and the maintenance of social justice (Republic of Ghana, MOLG, 1991: 3).

The Unit Committees on the other hand, comprise about 500 people. Every Unit Committee is supposed to elect a nine-member executive committee to be in charge of its day-to-day operation.<sup>142</sup> The Unit committees at the base of the locality act as agents of grassroots mobilisation for development, thereby dovetailing grassroots administration into the national administration. The Unit Committees perform much the same functions as the Town/Area Councils (Republic of Ghana, MOLG, 1991: 4 & 46).

The "Blue Book" and the P.N.D.C. Law 207 reveal the centralist orientation of the P.N.D.C. For example, the appointment of the District Secretary by the P.N.D.C. as the chief executive of a largely representative body like the District Assembly exemplifies what Diana Conyers (1989) has referred to as "central government's tendency of giving with one hand and taking back with the other" and what Ayee (1991) has described as "centralized decentralisation". In fact, the District Secretary quite apart from chairing the powerful Executive Committee of

the District Assembly assumes its functions and powers between sessions except its legislative powers. Secondly, certain clauses in the two documents tend to undercut the very powers supposed to have been decentralised to the District Assemblies. For example, section 1.10 of the “Blue Book” states;

“The P.N.D.C through the District Secretary (D.S.) and the Regional Secretary (R.S.) will ensure regular liaison between itself and the District Assemblies” (Ahwoi 1992: 28).

This clause makes them more of agents and channels of communication for the central government rather than custodians of decentralised political administration.

In fact, with the great publicity that has been given to participatory democracy based on popularly elected representatives of the people, one would have thought that the District Secretaries and the Regional Secretaries would be persons popularly elected and responsible to the people. Perhaps the election of the District Secretary and the Regional Secretary would have seriously embarrassed the P.N.D.C. itself, - having an unelected central government grafted on a popularly elected regional and district political leadership. Perhaps under the just inaugurated constitutional rule, it would be prudent to have the regional and district secretaries popularly elected. Finally, in decentralising power to the districts, the creation of the Regional Co-ordinating Councils, just like the previous Regional Councils, served as extra decision points and “bureaucratic road-blocks” (Ahwoi 1992: 28), particularly with regard to the approval of estimates and the allocation of funds to the District Assemblies.

#### *Problems of the District Assemblies (D.A.s)*

The District Assemblies have been bedeviled by a multiplicity of problems, the most serious of which are; inadequate financial resources, the lack of properly trained technical and administrative personnel; the lack of technical and social infrastructure and the absence of a conflict resolution mechanism at the district level.

#### *Finance*

Since independence, the lack of adequate source of financing had been a major cause of the failure of many a well-conceived and publicised decentralisation scheme. The District Assemblies are no exceptions to the primordial problem of lack of revenue. The main sources of revenue to the District Assemblies are local taxes – basic rates, property rates, market tolls, fines, special levies etc; income on investment; central government development grants, grants-in-aid; shares of revenue collected by the central government on special natural endowments, for example, stool lands; shares of central government revenue ceded to the District Assemblies and the ceding of certain taxes previously collected by the central government to the District Assemblies (Ahwoi 1992: 27). (See Table 2.4).

The types of sources of revenue usually allocated to local government bodies under statute are not the ones which provide reliable income for sustainable development (Boachie-Danquah 1992: 28). For example, the much-talked about ceded revenue to the District Assemblies produced ₵ 271.3 million in 1988; ₵ 303 million in 1990; and ₵ 324 million in the first quarter of 1991, all of which amounted to ₵ 898.3 million (Ahwoi 1992: 27). This sum equally divided among the 110 districts gives roughly ₵ 8.2 million. This is grossly inadequate.

The District Assemblies have had numerous functions conferred on them. These functions have not been accomplished by corresponding measures of financial and material resources. In recent comparative study of the financial resources of some District Assemblies in five regions in Ghana as earlier mentioned, Ayee stated that the District Assemblies lack the necessary revenue to cope with the numerous functions conferred on them by the Local Government Law 1988 (P.N.D.C. Law 207). He argued that some District Assemblies have as a result resorted to the imposition of new and unsanctioned taxes on the people (Ayee 1990: 46). For instance, in Adansi-West District, every tonne of palm-fruit carted out of the district attracted a levy of ₵ 500; while at Tema a crate of fish leaving the harbour attracted a tax of ₵ 100. In Jirapa-Lambussie District all cattle owners paid ₵ 20,000 for every non-indigenous herdsman they employed per year (Ayee 1990: 46).

In fact, Kwamena Ahwoi, the then Secretary for Local Government had also observed that “the urge to do too much too quickly” has resulted in the imposition of many unauthorised and often too high taxes (Ahwoi 1992: 27).

At the fourth annual workshop on decentralisation in Ghana, the participants were unanimous in their perception of fiscal decentralisation as “a missing link in the equation for effective decentralisation in Ghana” (Nkrumah 1992:134-135). They saw P.N.D.C. government as having gone only half-way in decentralising the administration of the country in the absence of fiscal decentralisation.

The participants also stated that not much had been done beyond the formalities of providing an elaborate legal framework; a comprehensive political structure; the allocation of functions which are out of all proportion to the financial resources of the District Assemblies and the order that 22 departments should be decentralised (See Table 2.6). They deplored the P.N.D.C.’s reluctance to accept and implement fiscal decentralisation as an integral part of any decentralisation programme (Nkrumah 1992:134-135).

In fact, scholars like S.A. Nkrumah, Yaw Boachie-Danquah and J.R.A. Ayee have strongly argued in support of revenue-sharing between the District Assemblies and the central government on a specified percentage of the total central government revenue. The sixth annual workshop on decentralisation in Ghana, held in September,

1992 at the School of Administration, University of Ghana, Legon, proposed a revenue-sharing of 6 per cent of the national budgetary allocation between the District Assemblies and the central government. The 6 per cent proposed at the workshop, falls short of the extremely radical revenue-sharing of 50 per cent proposed by S.A. Nkrumah (Nkrumah 1992:134-135).

#### *Personnel and Administrative Problems*

Coming next after financial problems, are perhaps personnel and administrative problems. The matter was particularly serious in the case of the 45 newly created District Assemblies. Technical and managerial capacity was found to be non-existent even in several of the old districts. The 22 departments listed in Schedule On to the P.N.D.C. Law 207 (and supposed to be decentralised) are not physically present even in all the 65 old districts. Even where the departments exist, there is very poor quality of staff (Ahwoi 1992: 16).

Programme execution members of staff are expected to be detached from Ministry organisation and assigned to the District Assemblies to provide them with managerial and technical capacity for programme planning and execution. This arrangement is yet to be carried out (Ahwoi 1992: 16).

It must be emphasised that the non-attainment of this critical programme which is central decentralised administration has created a risk factor in the success of the District Assemblies, because the success of every programme depends on the quality of manpower at its disposal.

This lack of adequate staff and experience political and administrative leadership for the smooth take off of the programme in many District Assemblies was tackled with a transitional measure conceived of by the central government and funded with U.N.D.P. assistance under the programme of Action to Mitigate the Social Cost of Adjustment (PAMSCAD). Under this transitional arrangement; 10 Mobile Planning Teams were constituted and trained to facilitate district development management. awareness and orientation courses were provided to existing district public servants in the new planning and development management system; induction course/training on decentralised administration, financial management and people's participation in development for core staff of the District Assemblies (Ahwoi 1992: 17).

The programme, though laudable, was limited to only core staff of the District Assemblies which included District Secretaries, presiding members; District Administrative officers and the District Planning and Budget Officers. Most District Assemblies are even yet to have their district planning and budget officers. The bulk of other staff (medium and lower grade staff) did not benefit from this "mobile training arrangement".

#### *Technical Infrastructure*

One major factor which has impeded efforts at effective decentralisation of administration has been the absence of technical infrastructure – office and residential accommodation, equipment and other social amenities. The situation is more acute in the 45 newly created districts.

The Ministry of Local Government embarked upon a district resourcing programme through which ₵ 434,064,700 worth of office equipment was supplied and ₵1.84 billion spent on the building of offices, bungalows and junior staff housing units as at June, 1991 (Ahwoi 1992: 25).

#### *The absence of conflict resolution mechanism*

The District Assemblies, since their inception in 1989 have been characterised by conflicts and power struggles. These conflicts have been in the form of boycotting sessions of the District Assemblies in protest against district secretaries, presiding members, and the central government or in protest against embezzlement and corruption. For example, the Bolgatanga, Tema and Kumasi District Assemblies had to spend several sitting sessions trying to elect presiding members because of the difficulty in getting the two-thirds majority. The Asunafo District Assembly refused to sit until Mr. Akwasi Agyeman Badu, (against whom allegations of corruption and embezzlement of funds were made) was removed from office as District Secretary (Peoples' Daily Graphic July 25, 1991). A government directive asked Agyeman Badu to proceed on "leave" for the allegations to be probed (Peoples' Daily Graphic July 27, 1991). Furthermore, the members of the Ahafo Ano District Assembly, after a prolonged power struggle between the District Assembly and the presiding member passed a vote of no confidence in the presiding member – Yaw Poku – for refusing to honour an invitation to testify before a committee of enquiry appointed by the District Assembly to investigate the disturbances at Tepa and allegations of corruption against him (Peoples' Daily Graphic July 12, 1991). Finally, the Sefwi Wiaso District Assembly boycotted sitting for 5 months (from February – July, 1991 in protest against the neglect of the Western Region in general and the Sefwi Wiaso District in particular in the distribution of development projects (Peoples' Daily Graphic July 19, 1991).

The then Secretary, for Local Government, Kwamena Ahwoi; while addressing the Accra Metropolitan Assembly in April, 1989, bemoaned the power struggle within some District Assemblies:

Some District Assemblies have become engulfed in unnecessary power struggles; between presiding members and District Secretaries; between elected members and appointed members .... What all should realize is that unnecessary show of power and unwarranted power struggles divert attention from the real issues of development (Republic of Ghana, MOLG, 1991: 85).



The absence of a conflict resolution mechanism at the district level to receive and resolve complaints against the District Secretary, the presiding members, the Assembly itself or against the abuse of power or excess of jurisdiction (*ultra vires* acts) has created a potentially dangerous and unstable situation at the district level in some District Assemblies (Ahwoi 1992: 31-32).

This situation has virtually turned the Ministry of Local Government and the P.N.D.C. Secretariat into “Court of Appeal” or the office of the Ombudsman for complaints by persons aggrieved by decisions taken at the district level (Ahwoi 1992: 25).

### **Conclusion**

The British colonial government when faced with the question of the maintenance of law and order, for smooth and peaceful trade, could not but recognise the traditional authorities and use them as agents of decentralised administration. The adoption of traditional institutions for administering the affairs of the colonies was not motivated by a genuine concern for decentralisation of administration. It was an attempt to maintain law and order without paying the political cost involved. This explains why even though the system was known as indirect rule; the traditional authorities did not have the needed autonomy to execute their functions. They were, in fact, directly controlled and guided by the colonial government in the execution of their functions. The traditional authorities had to raise their own resources despite the fact that the functions were transferred to them by the colonial government.

The control of agents of decentralised administration and the tendency to transfer functions without accompanying them with the needed resources were bequeathed to the Nkrumah regime at independence (Ayee 1991: 249).

The considerations that have given impetus to the adoption of decentralisation of administration may be summarised as follows; the desire to increase direct participation in decision-making particularly in the rural areas; the desire to stop the rural-urban migration through the provision of social infrastructure to the rural areas and the generation of employment opportunities; the decongestion of administration because of the inability of centralised planning systems to provide equitable distribution of the benefits of economic growth and the realisation that development programmes cannot be effectively and efficiently administered from a common centre.

Rather than achieving the perceived benefits like popular participation; probity and accountability, responsiveness, flexibility, effectiveness, efficiency and development, the various decentralisation programmes in Ghana have served as means of soliciting support and legitimacy for the central government; and have proved to be veritable strongholds of party functionaries or supporters of incumbent regimes. As a result, local government units in Ghana have been guided and controlled from the centre since independence.

From 1957 to 1988, a period of 31 years, only three local government elections were held that is, in 1958, 1978 and in 1988/89. This is to say the least, a manifestation of the marginalisation of representative principles in local government affairs (a very sad affair) given the great publicity decentralisation of administration has enjoyed in Ghana over the years. Instead of popularly elected councillors, incumbent regimes had arrogated to themselves the exclusive right to nominate councillors at the expense of popular elections.

There has been a dilemma on the role of chiefs in local government in Ghana. The conflicting positions on popular participation and the preservation of the place of traditional authorities in local government make it tempting to conclude that the role of the chiefs in local government in Ghana had been one of the affairs of tides and waves and remains yet to be conclusively resolved.

The lack of political commitment on the part of the central government, apparently for fear of secessionist agitations and the pursuit of parochial interests, the lack of adequate education on the real meaning of decentralisation programmes as well as the lack of clearly defined functions, responsibilities and powers of the various actors in the drama of decentralisation have had drawback effects on goal achievement.

Decentralisation policies have never succeeded in clearly stating the real meaning of their policies. Too many things had been taken for granted and too many questions left unanswered. For example, one is not sure whether it was devolution (political decentralisation) that the successive governments wanted to pursue or decentralisation (administrative deconcentration). Nevertheless, much publicity had been given to deconcentration but in reality what successive governments pursued was decentralisation.

Furthermore, the formulators of decentralisation programmes in Ghana have held the “compliance view” of implementation. They assume that once policies were announced, they would be implemented by subordinate administrators and that the needed results would be achieved in a non-political and technically competent way (Ayee 1991:44). Because of this “compliance view” of implementation, monitoring, supervision co-ordinating, evaluation and control, which are crucial and critical to the success of any policy, had been relegated to the background.

That Ghana is still prospecting for a form of local government policy that would be appropriate to our circumstances, amounts to a general admission that the local government systems we have grappled with in the

past, until the coming in force of the 1992 Constitution have been a failure.

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