

The Crisis of Governance in the 21st Century: Developing Leadership as a Way to Address Ghana's Judgment Debts (A case study of Auditor the General Report from 2009-2011)

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Abstracts

This paper argues that the primary motive behind every governance structure is to put an unceasing smile in the faces of the humble citizens and indeed all other stakeholders using the limited state resources. The Public Sector in Ghana from 2009 to 2011 suffered a legal risk leading to payments of judgment debts which had never been budgeted for. This has negatively affected the government projected incomes with its attendance harsh borrowing conditions externally. The objective of the paper is to examine the extent and categories of judgment debts paid for and to make recommendations for improvement. The paper adopted a qualitative methodological approach in conducting this research. The paper contends that leadership, seen as either the behavior of an individual as a values or character-base end-product creates a culture of impunity or a culture of discipline that integrates into its believes and how leaders actually behaves in a critical element complying with existing regulations and also in optimizing performances. It argues further that leadership should thus make the leader more relevant, create and propose innovative problem solving solutions, and see to that policies which were introduced to address all forms of risks being brought about by modernization and transformation, are effectively implemented without fear or favour. It recommends that government should make reforms and statutory laws and other measures to combating judgment debt in Ghana. It further recommends that reducing or avoiding it requires a dynamic and multi-faceted strategy or strategies that use scarce resources effectively on a constructive and shared basis. Hence there must therefore be a comprehensive National Debt Management Policy.

Keywords: *Crisis of Governance, Developing Leadership*

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1.0 Introduction

Indubitably, transparency and accountability is a key ingredient for successful governance. Hence, the essence for governments to be more open and deem answerable to the citizens. More so, good governance is one of the main cornerstones for promoting accountability and openness. conversely, adhering to established policies, rules, laws, structures, and procedures that result in the achievement of desired goals is what is meant by good governance (UN, 2010). When these guidelines, directives, frameworks, and procedures are lax or ignored, good governance is no longer possible. Organizations that are governed publicly, honestly, and responsibly while still being accountable and operating successfully and efficiently are the goals of good governance.

Conversely, in an economy with a lower degree of middle income like Ghana, the government plays a significant role in the public sector in stimulating economic activities for development by building an accountability architecture based on trust and openness. In order to promote good, effective, or efficient governance processes, public service organisations are consequently obliged to put in place the right policies, rules, laws, and monitoring and evaluation procedures.

Imperatively, government must meet the principles of good governance set out by the people (Grindle, 2004). When people don't trust the government, it undermines accountability and transparency standards as well as public confidence (Grindle, 2004). This is predicated on the idea that governments that are not accountable to their constituents have difficulties. Achieving the needed standard of governance in Africa has proven to be

extremely challenging (Onyekachi, 2013). Unfortunately, Ghana's public sector governance continues to suffer from severe inadequacies. Unavoidably, this has resulted in numerous inefficiencies, low productivity, corruption, judgement debts, frequent labour dissents, and a lack of essential social amenities, continues ultimately slowed Ghana's economic development and progress (GII, 2013). A few of the obvious, serious matters that the public services are concerned about are as follows:

1. A poor relationship between people in positions of power and those who administer the public service on a daily basis;
2. Non-compliance with policy operating procedures;
3. Board and council appointments are made on the basis of political contributions rather than qualifications such as excellent character, accomplishments, ability, and experience;
4. Regardless of the terms set forth in the Acts of the Agencies for their duration, the Board/Council is arbitrarily underpaid whenever a new government comes into power.
5. Relationships between the Board/Council and management that are unhealthy, or focused on personal interests
6. Members of the Board and Council do not receive thorough and consistent capacity building and training.

2.0 Objective

This study aims to:

- i. To determine the extent of Ghana's judgement debt for the fiscal years 2009, 2010, and 2011.
- ii. To identify the judgement debt already paid by the government of Ghana.
- iii. To analyze the root causes of judgement debt in Ghana.
- iv. To explore ways of curbing the recurrences of these of judgement debts in Ghana.

The Crisis of Governance in West Africa

A clear and predictable legislative framework, accountability, transparency, and information on the management of national affairs are all considered to be signs of good governance. Good governance is defined by the United Nations Development Program as democratic rule characterised by adherence to the rule of law, accountability, and the democratic decision-making process. In addition to focusing on eradicating poverty, inclusivity, equity, impartiality, and fairness while combating any discriminatory acts and taking into account both the present and the future generations, good governance also requires responsiveness (United Nations Development Program, 2002). When a government performs poorly, resources are wasted, services are not provided, and citizens, especially the poor, are not afforded protection on the legal, economic, and social fronts (Grindle, 2004).

Governmental issues continue to plague the countries of West Africa, particularly Ghana. Misappropriation of public monies in numerous instances has continued to be the leading cause of judgement debt (Ayee, 2002). The economic and social progress of these countries has allegedly been halted by the internal conflicts that have plagued West Africa over the past few decades, as well as their knock-on effects, according to Atuobi (2007). Three Mano River Union States—Cote d'Ivoire, Sierra Leone, and Liberia—have been embroiled in civil wars that have affected their neighbours (Atuobi, 2010). While Nigeria and Cameroon's conflict has worsened due to the Bakassi Peninsula's oil wealth, which obnoxiously undermines relations between the two neighbours, peace was finally achieved between the two countries in 2006 thanks to efforts of the international community. Conflicts have also existed in Gambia, Senegal, and Guinea-Bissau (Atuobi, 2010; United Nations, 2006). In most African nations, poor governance has remained the main cause of judgement debts (Addo, 2008).

3.0 The Concept Judgment Debt

Judgement debt can be seen as any sum of money that a court of law orders the losing party to pay to the winning party. The parties in the case may either be an individual, a family, a company/institution or a government (Ghana Web Aug 2019). Additionally, judgement debt is considered to be a formal obligation to pay back a debt or other damages that is established by a court order that is then executable or subject to other legal

action. It is a general term embracing all preventable costs incurred by the government and brought on by the force of legislation (Ghana Integrity Initiative, 2013).

When a person against whom a monetary judgment has been entered, owes a judgment debt, such party is the judgment debtor. The party who the judgment debtor owes money to is the judgment creditor. The judgment creditor has the right to collect the judgment debt. If the judgment debtor fails to pay for the debt, the judgment creditor can enforce the judgment Agbola & Sokro, (2012). Usually, there's no waiting period after the judgment is final, which means the judgment creditor can start collecting the judgment debt right after the finalizing of the judgment. The creditor can contact the debtor to collect the judgment debt. If the debtor cannot afford to pay the full amount of the judgment, the creditor sometimes would accept an installment payment plan from the debtor. Sometime, the creditor may even accept a smaller amount than the judgment debt as full payment. If the judgment debtor fails to pay the judgment debt, the judgment creditor can contact an enforcement officer of the court to enforce the judgment. Usually, this officer will be a county sheriff. After obtaining an order from the court, the sheriff can take money or property from the judgment debtor to pay for the debt. For example, the sheriff can have the debtor's bank account, vehicle, or even wage be garnished (Asante & Gadzekpo, 2000).

3.1 Debts from judgments as a sign of poor governance or

Judgment debts as a failure of governance

The recent disclosure that the government of Ghana paid a total of GHC 642 million in judgement debts to various people and institutions has not only tarnished the reputations of the nation's public officials, both past and present, but has also raised concerns among the good people of Ghana about how wisely those in positions of authority are using public funds. Although almost all constitutional democracies pay some sort of judgement debt, Ghana's payment of these enormous sums for mistakes that could have been avoided has raised concerns about good governance, public accountability, and public officials' sensitivity to the plight of Ghanaians given the many developmental challenges facing the country. In light of this circumstance, several have expressed worries regarding:

- The reasons behind these judgement debts and the parties in charge;
- The circumstances under which these debts were paid, and whether the payments are in the best interest of the nation;
- Whether the country has a debt management policy and procedural guidelines for handling judgement debts; and if so, how they are enforced;
- The extent to which the applicable laws of the nation were followed in carrying out official responsibilities;
- The types of public financial management controls in place to reduce losses to the government; • Whether the country's courts have the necessary tools and resources to verify the evidence offered in lawsuits that result in judgement debt; and
- How the country approaches this issue to reduce judgement debts moving forward.

A nonpartisan national commission of inquiry has been requested by a number of people and organisations in order to investigate the issue of judgement debts, identify areas of governance that need improvement, and suggest the most effective legal and policy remedial measures. It is true that a commission of inquiry is necessary and beneficial for the country. However, given the potential for politicisation of the commission's conclusions, institutional slowness, and the political stalemate typical of an election year, it is necessary to take prompt and effective action to stem Ghana's tragic financial bleeding.

4.0 Developing Leadership as a way to reduce judgement debts

Despite the fact that it seems as though Ghana would never be able to stop the stream of judgement debts, leadership literature from around the globe gives Ghanaians more faith that the nation can overcome its problems with effective leadership. There is a body of literature that shows that, despite the fact that many nations had worse economic calamities than Ghana, they were nonetheless able to quickly recover thanks to effective leadership, which Ghana can imitate. Examples of these nations include Botswana, South Africa, Singapore, Hong Kong, Malaysia, the United States, and the United Kingdom, which were all affected by the financial crisis brought on by scandals involving massive mortgage companies like Freddie Mac and Fannie Mae, Enron,

Barings Bank, the Royal Bank of Scotland, Northern Rock, Merrill Lynch, Anderson, and Lehman Brothers (UK Financial Times, 2010).

This wealth of examples of the results of effective leadership might be imitated in Ghana as a response to our crisis with judgement debt. In spite of this, Nelson Mandela once said that "good leadership is all about making changes that inspire the life of the people you cannot and may not be able to see in your lifetime and this change can only be achieved by stepping on almost all of your friends' toes with a smile on your face since it is more of a war of the brain than muscles" (Mandela, 1996). Mandela additionally acknowledged that apartheid and the independence of African states were man-made, just like the poverty that results from poor leadership in Africa, and that it is therefore possible to change.

Another outstanding international leader once declared, 'I have no regrets. Building this country has taken up a large portion of my life. Nothing further needs to be done, so I can stop. What am I left with at the end of the day? Singapore's success. Why did I give something up? "My life (Yew, 2015). In order to accomplish a goal, a leader must be committed, dedicated, and patriotic'. Another renowned leader in history. In fact, Gandhi's leadership experiences mirror those that any seasoned leader may have to go through to achieve. He asserted, "First they laugh at you, then they ignore you, then they fight you, and then you win" (Ghandhi, 1869-1948).

Abraham Lincoln is a remarkable leader who will always be mentioned in leadership literature. By doing for men what they might and should do for themselves, he claimed, you cannot help men in a lasting way (Lincoln, 1863). This supports the statement made by Martin Luther King Jr. that "the worst of leadership is not what the evil ones do, but the good ones incapacity to do anything about it." The responsibility for fighting against any inappropriate behaviours, especially in public offices, falls on all Ghanaians to wake up and take action.

Margaret Thatcher, aka the Iron Lady of the World, claims that constitutions ought to be written on hearts rather than on papers. This suggests that the Executive should refrain from abusing any mistakes, such as those in Ghana's Constitution, to the disadvantage of the country.

In leadership, he quotes Mother Theresa and claims that "some individuals come into your life as blessings. Some people enter your life as teachers. Parent Theresa (1910-1997).The examples of effective leadership provided above support the thesis of this study, which is that effective leadership can halt the flow of judgement debts. To attain the transformation Ghanaians are starving for, however, we as a nation must pay a high price.

First, the "Ghanaian Culture," which refers to a set of conventions, values, character traits, beliefs, and expectations inside Ghanaian society, needs to be completely overhauled. Corruption is the norm, and it is anticipated that it will persist. There is a lot of cynicism and hopelessness. There is no sign of change. Despite these reservations, there have been instances where presidents have made significant success in transforming the national culture. Not fully and not permanently, but enough to make it possible to eliminate systemic wrongdoing. What acted as the leaders?

In every instance, the leaders set the tone for change by strongly signalling it to their institutions and the populace. They make known their intention to criticize any malpractice. However, words have little meaning in corrupt societies like Ghana. People have heard a lot of talk about serious scandals but no longer take it seriously. The notion that powerful people enjoy impunity and that large fish will always swim free is part of the corruption culture. This idea is changed by effective leaders, not only by their words.

Fry a large fish as a first step (or two). Hong Kong's Independent Commission against Corruption, for instance, was established decades ago. One of the initial stages involved finding and punishing a previous police commissioner who stood for impunity. President Andrés Pastrana's anti-corruption team travelled to numerous districts in Colombia shortly after he took office in 1998 to hold hearings regarding allegedly corrupt mayors and governors. The team used this power to send a message to the national leadership as well as the local leaders since "the team has the power to suspend people from these offices—something that leaders in other countries may not have."

Changing the institutional culture by "picking low-hanging fruit" is a second approach employed by effective reformers. Even if the most crucial issue is extremely challenging, these leaders may not always start with it. Instead, they produce rapid wins that alter perceptions and raise the possibility of change: "Maybe things can change...maybe they will change." Success in the short term gave long-term reforms momentum. Setting realistic goals on certain dates can help you apply this idea more effectively.

Finally, effective leaders recruit fresh talent. Even though they engage with individuals within established institutions, they also choose businesspeople rather than politicians to crucial public roles and invite young people to serve as their "eyes and ears" (La Paz, Bolivia, Mayor Ronald MacLean-Abaroa). Young accountants were brought in as partners with "senior heroes" to thoroughly investigate cases as part of the Anti-Corruption Czar's policy under President Pastrana, which many leaders of President Vicente Fox's reform initiatives in Mexico used. Judge Efen Plana, who is renowned for cleaning up the Philippine Bureau of Internal Revenue more than 20 years ago, likewise embraced this (UN, 2010; Global Ethics, 2012).

5.0 Methodology

The Institute of Internal Auditors, the Auditor General Department, and the Internal Audit Agency, all of which are located in Accra, were involved in the data collection. The usage of audit reports, reports from the Commission of Enquiries about judgement debts, and samples of other published works was specifically mentioned.

The Auditor General Department, established by the Audit Service Act, 2000 Act 584, and the Internal Audit Agency Act, 2003 Act 658, as well as the Commission of Human Rights and Administrative Justice, Economic and Organized Crime Office (EOCO), and most significantly, Ghana Integrity Initiative, are the departments/agencies that have been designated for data collection (GII).

5.1 Research Design

Research design used in this study is qualitative. This is suitable since it gives me the opportunity to read widely and express my agreement or disagreement with the works that have been published.

5.2 Data Collection

The secondary sources for gathering data was adopted for the data collection by the paper.

5.3 Techniques for Data Analysis

Quotes and stories

6.0 Findings and evaluation

Findings and Discussion Regarding Judgment Debt Payment:

The findings showed a variety of claim categories, which this study will describe, as well as the amount of money that was lost in that particular regime.

6.1 Claims for Settlement

The parties involved in the dispute—the plaintiff, the State acting through its attorney, and the Attorney General—reach an out-of-court settlement and order the court to uphold its terms. There is also the option of a court-assisted settlement, in which the courts help the parties to a dispute come to a resolution without necessarily going through a full trial. It is required to go through a pre-trial settlement in commercial courts.

6.2 Recompense

An official decision to provide compensation to landowners following their forced seizure of the property for public use is what leads to compensation.

6.3 Judgment Debt

After a statement or judicial pronouncement in favour of the plaintiff is made by the courts, an obligation follows.

6.4 Judgment Debts Detailed in 2009 Auditor General Report

Judgment debt was not cited as a drain on the consolidated fund in the Auditor General's report for 2009. The €14,000,000 (GH28,858,200) declared as being paid in the year was only incidental to the auditor General's

concerns expressed in line with the non-disclosure of the outstanding €80,000,000 debt. A judgement debt of €94,000,000 (GH193,762,200) has been incurred by the state. It is the opinion of this paper that more money was likely paid out but concealed in accounting categories because it was not of public interest, especially in light of the fact that this GH 193,762,200 was exclusively for one beneficiary firm, Construction Pioneers (CP). It is unreasonable to anticipate that in 2009, the state would only have lost one case.

6.5 Judgment Debts as Listed in the 2010 Auditor Report

In 2010, judgement debts totaling GH275,917,484 were paid to about 41 people, 15 businesses, 6 area councils, 1 government institution, 2 families, and 2 class action groups. Between 2 January and 10 December 2010, the amounts ranged from GHS 967 to GHS 41,811,481.

The biggest payout was GH\$85M in the second quarter, while the lowest was GH\$35M in the final quarter. GH 78 million was shared between the first and third quarters. Payments made as Settlement Agreement/Claim amounted to GH113.7M, or 41% of total payments, according to the Auditor General's classification, which is listed in the description column of the judgement Debt table. Judgment debt payments totaled GH83.7M, or 30% of all payments, and were classified as paid amounts. GH76.8M, or 28% of total payouts, were given out as compensation. Severance Payment, Payment of Outstanding Interest, Gratuity, and Employee Entitlement each received a portion of the remaining 1 percent, totaling GH293,027, GH1,355,342, and GH15,953.

However, it is vital to note that the narrative (Case Column) of the table refers to some of the Judgment Debt category as Settlement Claim/Agreement, making the line between the two quite hazy. Following categories emerged from additional study of the incidence of payment for the 2010 judgement debt:

1. Payments for Contract Litigation.
2. Compensation for Land.
3. Compensation for other government agencies' violations.
4. Compensation for labour.
5. Payments resulting from security services' bad behaviour.

6.6 Payment for Contract-Related Services GHC 165 Million in total

60 percent of the payments made in 2010 were contract-related, totaling GH164,828,204, of which GH70M was paid to CP Construction as "settlement of concerns some road projects." GH 59 million to Mr. Alfred A. Woyome as part of a "settlement of claim regarding the reconstruction of three stadiums" and GH 21 million to M/S Rockshell International as part of a "settlement agreement." Ninety- one percent of the contract-related payments went to these three beneficiaries.

6.7 Payments Related to Land GHC88 Million

This group received GH87,883,438 or 32% of the total judgement debts paid in 2010. For example, "land acquired for the Akosombo Dam," "land acquired by Govt. for the Asutware Sugar Factory," the Two Brigade Complex of the Ghana Armed Forces in Kumasi, the Agona Swedru School of Business, and the Akatsi Teacher Training College all fall under the category of "compensation in respect of land acquired by the state."

6.8 Additional Governmental Entities GHC20.5 Million

They represent judgement. debts incurred as a result of other para-governmental organisations' actions or inactions. These brought up GHC 20,496,555 in total, or 7% of all payments made in 2010. Ghana accumulated a GH4M debt at Fifty Secretariat.

A judgement debt of GH2.5M referred to as "debt due by the G.C.P.A to New World Investment Ltd." was also incurred by the State as a result of the Ghana National Procurement Agency's (G.N.P.A.) procurement activities. As part of a "settlement agreement following the confiscation of the company's assets, Avnash Ind. Ltd. received a judgement for GH2.8M. 92% of the payments in this category are made in these four payments.

7.9 Employment-Related Payments-GH2M

This was equal to GHC 1,355,342. Additionally, included in this group is Mr. KojoHodare-Okae, who won a judgement against the government for "wrongful transfer from GIS to GFZB" in the amount of GH237,559. 95% of the payments in this category go to these three beneficiaries.

Security Services - GH724 Million

Judgment, 0.30 percent of all payments made in 2010 were used to pay off debts accrued by the State as a result of police and military actions. In terms of the total amount of judgement obligations paid, this number is insignificant. Nevertheless, the State was required to make payments of GH 399,486 for "compensation in respect of accident caused by a careless police driver on the Nkawkaw-Kumasi route" and GH 96,000 for "failure to release an impounded vehicle by Interpol after realising that it was not stolen." A judgement for GH42,325 was obtained by Dawuda Adams against the state for the "illegal seizure of a car, a motorcycle, and cash by the police."

7.11 Judgment Debts as Reported in the 2011 Auditor General Report

Thirty people, localities, and commercial organisations received payments totaling GH217,971,388 in 2011 as judgement debt. Eight of these recipients were re-designated from 2010. The values varied from 4,172 Ghana Cedis to 73,339,647 Ghana Cedis. The following categories were used by the Controller and Accountant General to categorize the amounts paid:

- a) Compensation for the purchase of real estate and other assets;
- b) Judgment debts.

However, this study broadens the categorization in the following ways:

- a) Litigation involving contracts
- b) compensation for land in B.
- c) Debts from judgments brought against other government entities.
- d) Labor disputes
- e) Judgment debts brought on by security agency activities.

7.12 Contract-Related -GH 189 Million

The GH 189,495 in judgement debts paid on government contract litigation represents more than 86 percent of the total sums paid in 2011. Among the three winners is Africa Automobile Ltd. (paid GH4,159,010). Mr. Alfred A. Woyome (paid GH¢34,188,987), and Construction Pioneers (paid GH¢73,339,647) were carried over from the previous year. Waterville was awarded GH53,753,319 in damages for "loss of profit and damages for wrongful termination of contract in respect of the refurbishment of three stadiums" as part of a settlement agreement. The majority of contributions in this category—87 percent—go to these four recipients.

7.13 Land Compensation -GH¢26 Million

Amounting to GH26,195,441, or 12% of total payments in 2011, compensation for Land obtained from Traditional Leaders, Families, and Individuals totaled GH26,195,441. Included in this amount is the GH22,336,067 paid to the Pai, Paaso, Ahmandi, and Mankrago Areas as "compensation for land seized for the Akosombo Dam." The NiiOsae Family of Otinshie received an additional payment of GH 3,000,000 as compensation for the property used as the Accra-Nungua-Otinshie location for the scientific instruments centre. The payments to just these beneficiaries—who were carried over from the prior year—account for 97% of this category.

7.14 Other Government Agencies-GH2.6 Million

The state owed GH2,574,700 in judgement debt in 2011 as a result of violations committed by other government agencies. This accounts for 1% of all judgement obligations paid. Highlights of this category include payments totaling GH1,503,200 made to BalajiGemlas Co. Ltd for "Ghana Consolidated Diamond Ltd. Indebtedness to

Balaji," GH545,747 made to Wendy Rose for "Breach of Contract on School Feeding Programme," and GH269,407 made to Modern Construction Ltd. for remodelling work done for the Forestry Commission. Ninety percent of the payments in this category go to these three recipients.

7.15 Labor-Related - GH 62 Million

Employee litigation-related judgement obligations totaled GH 62,388, or 0.03 percent of the total for the year. These debts were from unfair terminations, legal fees related to a contested death gratuity, and end-of-service bonuses.

7.16 Security Services GH48 Million

Security services violations cost the state GH 48,364, or 0.02 percent of all judgement debts settled for the year. This involved "pain and suffering caused by accident involving Police motor cycle" and "attack by C.E.P.S. officers at Aflao Border."

7.17.1 Theoretical Debates on the Current Leadership Crisis in Ghana

An essential element of effective public governance is leadership. According to the OECD (2009) and UN (2010), governance is the process by which a country's fundamental principles are "institutionalised" or "encultured" (often expressed in some manner in its Constitution).

Separation of powers, checks and balances, methods of transferring power, openness, and accountability are examples of formal elements. Public servants must always operate in accordance with these values. They must become part of the culture. In this sense, "leadership" is what gives the Constitution its skin. Therefore, the core of effective government is leadership.

It is obvious that there are many people in sensitive positions of trust in the public sector who lack effective leadership or moral power in Ghana.

Furthermore, today leaders hold the following attributes to be essential for addressing Ghana's problems with judgement debts. That is a clear vision, excellent academic and intellectual ability, dynamic oratory, and other forms of communication that have the ability to persuade rather than simply provide a solution. However, the leadership literature has consistently argued that the moral force of a noble and stable character is a crucial trait. Hence, a true leader should and must possess such qualities. There have been several capable individuals in positions of authority who displayed a variety of leadership potentials. However, the leaders who are attempting to prevent their countries, businesses, organisations, and families from sinking either lack or are inadequate in that crucial character trait (Mandela, 1994; Luther-King, 1969; Margaret Thacher, 1975; Munroe, 2003).

Leaders all throughout the world lose their moral or ethical integrity. Many of them have incredibly strong beginnings before failing miserably. A few of them have functioned under the guise of integrity, but this was merely a pretense. Although they gave off the impression of being morally upright and skilled on the outside, they badly lacked inner substance. With the tiniest storm of actual daily leadership issues, their lack of moral force and ethical poverty reveal them. Until the leaders became embroiled in scandal due mostly to character bankruptcy, the public had no idea who these leaders actually were and had depended significantly on either academic credentials or an unchecked renown. These are also highly susceptible to lawsuits for wrongful financial loss, theft, extortion, fraud, perjury, and collusion in addition to being disrespected and losing their reputation (UK Financial Times, 2005; US Security and Exchange Commission Report, 2014).

8.0 Conclusion

The crisis in governance is a big concern for all Ghanaians because, in large part, effective governance cannot be done without excellent leaders who set the direction, security, and prosperity, as well as the accountability and discipline in society and the nation as a whole. In fact, Linchon, who was cited by Martin Luther King Jr. (1965) and Mahatma Gandhi (1972), illustrates the following ideas as the essential function of effective leadership, which may unquestionably be institutionalized as a remedy for Ghana's judgement debt crisis:

a. Without leadership, nothing happens. A leader's goal in establishing a government, a corporation, a scientific discovery or advancement, or the dissemination of a religious or philosophical belief is to make the lives of the common people they serve happier.

- b. Without leadership, nothing gets done. Leaders create initiatives, carry them through, and maintain projects even in the face of adversity.
- c. Without leadership, nothing is altered or transformed. Unless someone or a group of individuals starts thinking or acting differently, things usually stay the same or get worse.
- d. Leadership is essential for development. Leaders take the initiative to put innovations into practise, improve upon what has already been done, and expand on past accomplishments.
- e. Leadership is essential for progress. Innovative and enterprising people make good leaders. They are frequently keen to improve a society's standard of living through increased comfort, increased efficiency, and the introduction of new goods and services to improve the lot of the populace.
- f. Without leadership, nothing gets better. While others see no hope or a potential future, leaders find promise in circumstances and conditions.
- g. Without leadership, nothing can be changed. Someone must assume responsibility for making sure that corrections are done in order to remedy mistakes and solve issues. When society has taken a wrong turn and needs to rectify itself, true leaders offer assistance.

Leadership is consequently essential to the preservation, progress, and transformation of humankind in light of the aforementioned ideas. Whatever state a society or country is in, it did not get there by accident or magic. Someone brought it there, and someone else can take it back (Mandela, 1999).

The judgement debt situation in Ghana is clearly a result of human activity, and it is also possible to stop the current harmful trend and return to normalcy.

9.0 Recommendations

It is important to educate politicians to comprehend the continuum of governance and to recognise the complimentary roles that the opposition and the ruling party play in Ghana's progress. A change in leadership shouldn't mean that everything must begin under the new administration. It can't entail that everything the previous administration did was wrong and must be undone. Changes in government cannot result in modifications to agreements made by the prior administration. Such arbitrary measures must be halted because they have negative legal and financial repercussions for the government.

Again, party affiliation should not be a factor in appointments to highly sensitive posts like ministries and other state agencies. Instead, appointments should be based on proven track records and strong leadership.

Additionally, the procedure that now only allows the Attorney General's office to negotiate out-of-court settlements with the plaintiff has to be reevaluated. Limits should be able to be set, and negotiated agreements should be approved by parliament after being reviewed by a parliamentary subcommittee.

In order to prevent people from enforcing their own personal interests at the expense of the state, there is an urgent need for a Judgment Debts Policy that makes it a personal liability for all state authorities, including sub-vented institutions.

Finally, the author of this article agrees with the Auditor General's recommendation that public officials be charged extra to make up for the loss they cause the state through judgement debts. Given the size of these obligations, which cannot be settled by these officials with their lifetime earnings, additional criminal accusations of negligence may be brought against them, including potential prison sentences, and all outstanding net liabilities will be legally transferred to their heirs.

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