

Republic of Ghana



Capital: Accra

Inhabitants: 23.000.000 (2007)

Area: 238.535 km²



1. Introduction

Ghana is a West African and Anglophone country. Dealing at south by the golf of Guinea, it is surrounded by three francophone countries: Ivory Coast in the west, Burkina Faso in the North, and Togo in the east. Its area is *238 540 km²* and its population *21,110, 000 inhabitants*. Independent since 1957, Ghana, formerly the Gold Coast, became a republic in 1960 and its first president was President Kwame Nkrumah. The local's councils, inspired by British local government, were transformed in 1966 and arranged into 47 districts. The beginnings of decentralisation were instigated in 1968 with the opening up of the districts to the traditional leaders and the appointment of local representatives.

In 1972, the districts became full-fledged local authorities. As from 1982, profound political, administrative, and economic changes took place, with the coming to power of Jerry John Rawlings. The Provisional National Defence Council

(PNDC) set up new political structures, the "people's defence committees."

The PNDC LAW 207 marked a second stage in decentralisation; a regional co-ordinating council was set up in each region. This reform put in place 107 district assemblies, and 3 metropolitan assemblies, replacing the existing 65 district councils.

The last step took place in 1991 by setting up, at the bottom level, of urban councils, zonal councils, town councils and unit committees.

When the law refers to decentralisation, it means:

- the devolution of central administrative authority to the district level;
- the amalgamation of governmental agencies in any given region, district or locality into one administrative unit through the process of institutional integration, manpower absorption, composite budgeting and provision of funds for the decentralised services;
- the transfer of implementation responsibilities from the centre upon the districts.

The law assigns functions and responsibilities to the various levels of government as follows:



- central government ministries/departments undertake policy planning, monitoring and evaluation of policies and programmes;
- regions, through the regional planning coordinating councils and their respective regional planning coordinating units will play the important role of coordination, not in a regulatory manner, but to ensure consistency, compatibility and coherence of district level development;
- it facilitates joint ventures among districts and monitor the activities of District Assemblies (DAs) within regions: DAs will be primarily responsible for the implementation of development policies and programmes coordinated by the National Development Planning Commission (NDPC);

The law promotes popular grass root participation in the various areas concerned regarding planning, implementation, monitoring and delivery of those services aimed at improving the living conditions of the people and ensuring the orderly, fair and balanced development of the whole country.

The new local government system which is based on the assumption that:

- development is that which responds to people's problems and represents their goals, objectives and priorities;
- development is a shared responsibility between central government, local governments, parastatals, non-governmental organisations (NGOs) and the people;

DAs are aimed at creating a forum at the district (local) level where a team of development agents, the representatives of the people and other agencies will agree on

the development problems of the district or area and decide on the combined actions necessary to deal with them. These were given legal form by the Local Government Law, 1988, PNDCL 207, now superseded by chapter 20 of the 1992 Constitution and replaced by the Local Government Act, 1993, Act 462.

2. Territorial structure

The DAs (or the local governments) were created as basic units of local government administration within a monolithic structure and were assigned deliberative, legislative and executive functions under Act 462 of 1993. The responsibility integrates the political, administrative and development support needed to achieve a more equitable allocation of wealth, power and a geographically dispersed development throughout the country (ibid). The district assemblies are the planning authorities for the districts.

Prior to the creation of the district assemblies in 1988, there were in existence 65 districts. This was augmented to 110 in 1988 during the implementation of the new decentralisation policy until 2004 when the number was increased to 138. An additional 28 district assemblies were created in 2007, bringing the total to 166. Of the 28 newly created local governments, 25 were districts and three municipalities. Further, 26 existing districts were upgraded to the status of municipalities while Cape Coast and Tema were upgraded to the status of metropolitan assemblies. The rationale behind the increase in the number of the district assemblies or the fragmentation of the country into more decentralised entities was to make the districts more viable and homogeneous; smaller to promote decentralisation through participatory democracy and more manageable as autonomous entities (New



Local Government System, 1996). Arguably, participation is effective when the size/number being considered is small and evidence in the past decentralisation efforts in this country has shown that the large sizes of the decentralised units made participation of local people difficult and hence impeding the democratic process of the country. Thus the creation of additional districts is expected to have positive impact on the decentralisation process. Smaller and less endowed districts will now have the opportunity to develop using resources specifically allocated to them. Evidence has also shown that the creation of additional districts is reducing the regional imbalance, and therefore has the tendency to reduce poverty in the country (DEPP Workshop Report, 2006)

Contrary to the initial local government structures, the current local government structure has a four-tier Metropolitan and a three-tier Municipal/District assembly. In 1988, there were 3 metropolitan, 4 municipal and 103 district assemblies in Ghana and in 2004, additional 28 new districts were created. Departments are central government agencies at the regional or local level.

2.1 The structure of decentralization in Ghana (since 1988) is as follows:

Level 1

10 Regional Coordinating Councils
Regional Departments

Level 2

3 Metropolitan Assemblies
(16 Departments)
4 Municipal Assemblies
(13 Departments)
103 District Assemblies
(11 Departments)

Intermediate level 2-3

13 Sub Metro DAs

Level 3

250 Town Councils
108 Zonal Councils
34 Urban Councils
826 Area Councils

Level 4

16.000 Unit Committees

2.2 Regional Coordinating Council

The Regional Coordinating Council (RCC) has the responsibility of coordinating, monitoring and evaluating the district assemblies' performance. However it appears this has been more rhetoric than reality in that the issue has always been raised as to what exactly they are coordinating in the absence of adequate resources. The role of the RCC has been amorphous right from the inception. Prior to the decentralisation implementation, the regional levels of administration were very powerful and took over the roles of the local administration but with the introduction of the 1988 decentralisation, their power were transferred to the district assemblies, leaving them with very little to do, particularly when they no longer control resources.

Directly below the regional coordinating councils are the district assemblies that are made up of metropolis, municipalities or districts (refer to Figure 1 below). All the districts have sub-district structures through which they are able to reach the electorate.

2.3 Composition of Sub-district Structures

According to the local government Act 462, the sub-district structures are to perform tasks delegated to them by the district assemblies. The sub-districts comprise of the following:



2.3.1 Sub-metropolitan district councils

The sub-metropolitan district councils (also referred to as the sub-metros) were created to take care of the peculiar urban characteristics, management and socio-economic needs of the few metropolises in the country. Until the creation of the additional sub-metros, the metropolises were Kumasi (with 4 sub-metros); Accra (with 6 sub-metros) and Shama-Ahanta (with 3 sub-metros). In 2004 one metropolis was created with its sub-metros. The newly created metropolis, Tema and Cape Coast will also have new sub-metros. There are therefore 6 metropolises now with sub-metros. According to the law 462, the membership of these sub-metros is made up of two-thirds elected and one-third appointed members. The membership of the sub-metros has been fixed as not less than 25 and not more than 30. The one-third appointed assembly members makes it possible for the central government to have control over the deliberations of the district assemblies because it is enough for the central government to take a small number from the elected two-thirds to get the vote according to its views since the legal instrument does not specify any number that can be considered as a quorum.

With the creation of new local governments, it is expected that there will be more sub-structures for the local governments with the largest numbers being the unit committees. This has implication for resources and performance. There has always been the view that the 16,000 unit committees that came into being together with the decentralisation in 1988 were too large. With the creation of the new local governments therefore, the problem is expected to be compounded.

2.3.2 Urban councils

Urban Councils are peculiar to settlements of "ordinary" District Assemblies. They are

created for the settlements with the Metropolises. Thirty-four (34) of such councils were established by law until the new districts were created in 2004 and 2007. The total number of urban councils has therefore increased.

2.3.3 Town/Area councils

These are found in the Metropolitan and District Assemblies. In the District Assemblies, Town Councils are established for settlements with population between 5,000 and 15,000. Area councils exist for a number of settlements/villages grouped together but with individual settlements having a population under 5,000. They cover areas with predominantly rural population and in some cases can be identified with spheres of influence of a particular traditional authority. They are essential to mobilize support for the development objectives of the District Assembly. Town Councils in the metropolitan assemblies are markedly different in size, sometimes exceeding 50,000.

2.3.4 Zonal councils

The Zonal Councils are in the "one-town" Municipal Assemblies of Cape Coast, New Juaben and Tema (until some of them were elevated to the status of metropolis), for which the establishment of Town/Area Councils would raise problems of parallel administrative structures. Prior to the increase of the DAs there were one hundred and eight (108) of such Zonal Councils for the four (4) Municipal Assemblies. There are now ten municipal assemblies in the country. They are used as the Electoral Commission's criteria of commonality of interest, population of 3,000 and identifiable streets, land marks, etc. as boundaries.

2.3.5 Unit Committees

Unit Committees form the bottom of the new Local Government system. A unit is normally a settlement or a group of



settlements with a population between 500 and 1,000 in the rural areas, and a higher population (1,500) for the urban areas. Unit Committees being close to the people, play the important roles of organization of communal labour, education, ensuring environmental cleanliness, revenue raising, registration of births and deaths, implementation and monitoring of self-help projects, settlement of disputes, among others.

According to the Local Government Act 462, the unit committees should be 16,000 for all the district assemblies until the new ones were created in 2004 and 2007. It appears that 16,000 was too much even at the initial stages of decentralization in the country, particularly when the membership is expected to come from the grassroots that has very few competent people who can occupy such positions. Some DAs have had the problem of unavailability of competent people to serve in the committees. The membership of the unit committees is also a problem because they are too many.

The town and unit committees have the problem of sharing resources with the district assemblies. They are seen as those responsible for mobilizing resources and yet when they perform this role they are not given their fair share of the money as pertain in the Local Government Act 462.

3. The local democracy

Elections are pluralist. So many conditions directed the electoral system in Ghana. According to the law, individuals must stand without association with political party. To be elected, the person must be a citizen of Ghana, 18 years old, resident in the district and having paid their taxes and rates. In the district assembly elections held in August 2002 the voter turnout was about 35 per cent. Seventy per cent of the

assembly members are elected. Thirty per cent are appointed, following consultation with interest groups and critical stakeholders in the district; half of them must be women, and another 30 per cent represent traditional authorities. Assembly members serve a four-year term and can stand for re-election for any number of terms. Local elections cannot be held within six months of national elections.

Individual assembly members may be recalled by the electorate, though the procedure is not simple. A petition signed by 25 per cent of the district electorate triggers a referendum on the issue. In order for the referendum to be valid, 40 per cent of the electorate must participate, and a 60 per cent majority of ballots must be in favour of the removal of the assembly member in order to make it legally binding. Appointed members may also be removed through a mechanism in which the district assembly makes the case to the president. The intermediate tier councils and the unit committees in particular are designed to enhance and extend citizens' participation in the democratic process. However, among 16,000 unit committees that should be in operation, only some 8,000 are. In total, women constitute 11 per cent of the assembly members in Ghana; 3.4 per cent of elected members are women.

Each of the ten regions has a Regional Coordinating Council (RCC). These bodies have authority delegated from the State, and they do not have elected members. They are composed of the following representatives: (i) the regional minister and his deputies who are all government civil servants and who are all appointed; (ii) the president of each district assembly and the chief executive of each district in the region who is an appointed civil servant; (iii) two chiefs from those elected by the regional house of chiefs; (iv) The



regional head of the decentralised ministries in the region.

The Regional Minister acts as chair of the Regional Coordinating Council; he represents the President in co-ordinating and in directing the public administration in the region. The Secretary of the Regional Coordinating Council is the head of the administration in the region.

It is very difficult to promote transparency and accountability in the implementation of decentralisation where central government influence is great. Although the DAs are supposed to be non-partisan to enhance the process of transparency and accountability, it appears politics at the local level now is so glaring that it influences local administration although it is not talked about. Local people who can demand accountability from those in authority are afraid to challenge authority because the highest political appointment at the DA level is that of the district chief executive (DCE) who is appointed by the President.

4. The relations between central government and local government

The autonomy of local government is compromised and undermined in a number of ways. The central government control is maintained through a number of processes: presidential appointments, non-partisan elections, administrative control and fiscal control.

Moreover, central government departments maintain a close administrative and financial eye on local government activities. The National Development Planning Commission and the Ministry of Finance respectively examine the district development plan and the annual budget. Additionally, any recruitment into the service of the DAs has to be done either through the national civil society or agreed

by the relevant central government body financially, the accounts of local authorities are audited annually by central government agents, and DAs are unable to borrow money without central government approval. Such control mechanisms, though prudent in some respects, tend to stifle local initiative, and leave local authorities in Ghana looking upwards to central government to undertake major development projects.

As an interlocutor, the National Association of Local Administration in Ghana (NALAG) is perhaps the only organization/movement of metropolitan/municipal/district assemblies in Ghana. NALAG is governed by an executive council where every region has a representative on the council. Its objectives include among others the strengthening of the local government actors in the country through research and introduction of best practices. NALAG is non-partisan and therefore is able to create a platform for the assembly members to have open discussions about problems facing them in their various districts covering areas such as citizen participation, revenue mobilization and gender in local government. As a strategy to achieve its objectives, NALAG organizes regional platforms for the districts where they share experiences and best practices from across the country.

5. Local finances

Only the districts have their own budgets. Their revenue comes from five sources: (i) direct taxation, levied and collected by the district; (ii) revenues from investment; (iii) central government transfers and grants, overall or specific; (iv) tax shares from taxes on casinos, the lottery, and entertainment, tax on daily transport, tax on advertising, and income tax; and (v) borrowing.



About the centre government grants, there are two types ; the District Assembly Common Fund and the share that accrues to the districts from the sale of natural resources such as timber, minerals, etc. and exploitation. The District Assembly Common Fund is managed in accordance with a constitutional provision that allows for automatic financial transfer from the national budget to the local governments. The fund is made up of at least 5% of gross national revenue, which is shared among the local governments using a formula designed to ensure a fair distribution of the funds to the districts. An administrator appointed by the President under approval by the Parliament manages the fund.

Formulating policies takes place only at the centre whereas the implementation takes place at the local level.

Local government revenues split as follows:

Central government transfers, being grants-in-aid and ceded revenues - 69%

Own taxes - 22%

User fees and charges - 9%.

About the revenue sharing, districts receive funds for development projects and programmes from many sources. The main ones are:

- Central government funding
- Internally generated revenue
- Funds from development partners
- Funds from the Highly Indebted Poor Countries' Relief
- The District Assemblies' Common Fund.

The District Assemblies' Common Fund is derived from central government revenues.

The constitution states that not less than 5% of total national revenues must be disbursed to the assemblies. Payment of all staff working in the district currently under

the line ministries is drawn from those ministries' budgets.

The main sources of revenue of DAs are rates, fees, and levies. In addition, the DAs receive money from the District Assemblies Common Fund (DDACF) and grants-in aid under Article 252 of the Constitution and 55% of the Stool Land revenue. In practice there is no evidence from official documents whether grants-in-aid have been given to the DAs.

DACF has a major influence on the operations of the DAs; however the approach adopted by DACF has increased instead of reducing the control of centre over DAs' functions. Continued central control has prevented the DACF being an instrument of decentralization and democratization.

The introduction of the DACF has made the DAs over-rely on its proceeds rather than acting as an incentive to mobilize resources locally. DACF is also suffering from irregularity in disbursement of funds, lack of transparency and lack of discretion afforded to district authority over the allocation of funds.

6. Local Proficiencies

Table 1: Proficiencies

Sectors / Decision-takers	District	sub district	Unit committee
Registry office			*
Land development town planning	*	*	*
Water - sewage	*		
Household refuse	*		
Energy distribution	*		
Roads	*	*	*
Education	*		*



7. The staff of local government.

The decentralisation of decision-making and public service provision in specified areas entails a related rise in public expectations of local government. Yet a common problem is that existing local government structures do not have the necessary capacity to undertake new and expanded responsibilities, with a resultant failure to meet such raised expectations and erosion in the support for local democracy. Already, by 1999, the DA system in Ghana appeared to be suffering from such a legitimacy gap.

The district assemblies are required by law to have a number of officers, namely the district coordinating director (the head of the paid service), a finance officer, a development planning officer, and a local government inspector. With the enactment of the Local Government Service Act 2003, appointments, promotions and disciplining of local government personnel now come under the Local Government Service Council. Central government staff can be deployed to local government.

The Office of the Head of the Civil Service, a central body, recruits local government staff. The local authority the Ministry of Local Government and Rural Development (MLGRD) and the Office of the Head of the Civil Service have the power to employ, discipline and dismiss various categories of staff. However, there is an institution of local management training.

Lack of basic facilities at the district assemblies are disincentive for engaging competent staff. Consequently, the iteration rate of staff is quite high for the local governments. Some of the districts are in very remote areas of the country where social services such as good schools and hospitals are absent and thereby making such places unattractive for staff with families.

The Institute of Local Government Studies (ILGS) had during the initial years with the collaboration of the Department of Planning of the Kwame Nkrumah University of Science and Technology, and with financial support from the EU mounted a number of training programmes for the district assembly staff to build their capacity. Those who were not originally trained as planners, such as sociologist and other social scientists were also trained to provide the needed capacity for the running of the district assemblies. However, it appears the problems have reoccurred with the creation of more local governments in the country. This has implication for human resource capacity to man the new districts, notwithstanding the backlog of those that did not have adequate staff. In addition it has implication for infrastructure for these newly created districts to perform efficiently and effectively. Evidence from the last experience of increasing district assemblies from 110 to 138 showed that the creation takes place before the search for infrastructure to host the district assemblies and in the process no effective functioning takes place until over a year when these newly created districts begin to find their bearing. Thus the capacity issue becomes the last thing that one thinks about when the immediate problem is office space.

Many of the human resource-base of the local governments is trained by the Institute of Local Government Studies (ILGS - Act 647 of 2003) to augment the staffing level at the district assemblies. However, it appears only the few competent staff working at the districts continuously benefit from these programmes. What this means is that for most of the time the few competent ones are away on training programmes outside their districts, leaving the local governments with a vacuum of staff at post for most of the time.



8. Conclusion

In 1988, as per the Constitution of the country, there was the birth of a new local government through decentralisation. The implementation of the decentralisation concept in Ghana was in respect of three broad areas. These are political, fiscal and administration. In terms of implementation, it appears Ghana has succeeded in the implementation of the easier objectives that is the political component. All the political structures are in place and recently the sub-structures have also started functioning, though not to expectation due to a number of problems including finance and capacity of staff. Since then, implementation has stalled a bit when it comes to the implementation of the difficult components such as fiscal decentralisation.

Administratively, it has been identified that sectoral decentralisation has also been difficult since many of the decentralised departments have only been decentralised on paper and not in reality. There are several reasons that explain the above. Although the Local Government Service Act has been passed since 2003 to resolve some of the above problems associated with implementation, its implementation has been slow because of the complexity of the entire process of sectoral decentralisation, which probably was not carefully thought through right from the inception of the decentralisation process. One of such problems has to do with the absorption of the staff of the sector departments by the district assemblies. The staff of the sector departments have been recruited and paid by their mother sector ministries. Thus they owe allegiance to their mother organizations that is responsible for sanctioning and promoting them.

However, the main challenges confronting the effective and efficient implementation of the decentralisation policy are varied. First and foremost, institutional structures such as the unit committees are rather too many (16,000) for any effective and efficient supervision to be effected against the background of logistical constraints. Also the functions of the Regional Coordinating Councils (RCCs) as monitoring, supervising and coordinating the activities of the district assemblies appear either very weak or not happening at all. This was because the RCC itself lacks the necessary logistic and qualified personnel to execute the supervisory role over the relatively large 166 district assemblies.

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