

Appointment of Ghana's Local Government Chief Executives: A Setback on Accountability?

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ABSTRACT

This paper aims at examining the impact of president's appointment of local government Chief Executives (Mayor) on accountability in Ghana's local governments. Ghana after three decades of decentralisation and local governance is still in search method of choosing the chief executives for the various local governments. Most scholars and ordinary citizens are calling for a paradigm shift from the current arrangement of appointment to an arrangement in which the citizens themselves will elect their Chief executives to make them more accountable and responsive. Contrarily this paper seeks to question the notion that elections of Metropolitan/Municipal/District Chief Executives (MMDCEs) are a recipe for effective accountability. Rather the paper argues that election is just one out of a many mechanisms of accountability and has proving insufficient in other jurisdictions and calls for strengthened accountable mechanisms that are already enshrined in the Constitution and other Legal provisions. The paper is based on a review of various literature on elections of local government Chief Executives (Mayor), public sector accountability from Principal-agent perspective in the public sector and 1992 Constitution of Ghana and Local Government Act of 1993, (Act 462) and the new Act, 2016 (936) as well as other relevant documents.

Keywords: *Accountability, principal-agent model, local government, election of MMDCEs (Mayors) Ghana.*

INTRODUCTION

Most countries, both developing and developed since in the early 1980s have adopted decentralisation and local government with much emphasis on devolving power, resources, and competence to the local level. This period witnessed the wake of public sector reform movement of New Public management (NPM). The broad doctrine of the movement was efficiency through managerialism and among its sub-doctrine were down-sizing and decentralising government. Osborne and Gaebler (1993) were among the advocates who popularised the movement under the banner "Reinventing Government" Hence, the emergence of local government systems in varied forms across the globe based on countries' specific historical and socio-political orientation. Osborne (2006) argue that, failure to afford communities and their citizens the opportunity to determine their own affairs undermines their confidence and competencies and breeds dependency.

The main assumption of decentralisation is that, it has the potential of increasing efficiency, equity, participation and responsiveness to citizens. However, Agrwal and Ribot (1999) argue that, the necessary requirement for such

devolved powers is to serve the needs of the local people by representation and accountability. The citizens should be empowered to hold their local authorities accountable for their actions. To be able to hold local authorities accountable, citizens should be involved in assigning responsibility to local authorities and through elections (Gerber, 2011). The local authorities should as well be given sufficient powers to initiate new, change timeworn and implement policies that affect their citizens within their jurisdiction. This bring the principal-agency relationship to play. Citizens through elections assign the politicians representative responsibilities to act on their behalf and hold the bureaucrats accountable which they the citizens are accounted to by their representatives.

According to Blair (2000) Democratic Local governance should increase popular input in what it does through participation and also popular control through accountability. Wollman (2004) observed that, elections of chief executives of local governments, and complementing it with a procedure of impeachment by both the citizen and local councillors in Germany, really gave power to the citizens. The driving force of local government is to bring governance to the door

steps of the local people, increase their participation and voice and government responsiveness to the citizen's needs (Cammack, et al., 2007, Ahwoi, 2010, Offei-Aboagye, 2000). Citizen participation should not be narrowed down to only casting ballot at pools. Moreover, exercising one's franchise does not necessarily guarantee accountability.

Devas and Grant (2003) contends that, local level elections are not only infrequent but winning depends on the individuals' personality and to some extent on ethnicity rather than programmes and manifestos. Good governance among other indicators from the economic perspective are transparency, accountability, and access to information (World Bank, 1992) and from the political perspective UNDP defines good governance from government legitimacy, government accountability, government competence and protection of human rights and respect for rule of law. According to United Cities and Local Government (UCLG, 2015), local government is the most appropriate level not only for the measurement of these indicators but also a means to achieving the 2015- 2030 Sustainable Development Goals (SDGs) of the United Nations (UN), especially they are capable of addressing the challenges of poverty, rising inequality, insecurity, environment depletion and climate change, due to their everyday interaction with citizens.

The local government Act 1993 (Act, 462) amended by Act 2016 (Act, 936) mandates local governments to involve citizens in their decision-making process through any available means of communication. The appointment of MMDCEs of District Assemblies by the President has attracted not only the attention of scholars who have done some amount of work on it (Ahwoi, 2010, Antwi-Bosiako, 2012, Adusei-Asante, 2012) but the general public, Civil Society, political parties and of course the media.

The concern of this paper is to assess the concept of election of MMDCEs as against the already existing accountable mechanisms (political accountability and social accountability) in the Ghanaian local government Architecture. Hence, the question, Is the President's appointment of MMDCEs for local governments in Ghana a setback to accountability?

The paper is structured as follows; the introduction gives the background of the topic and highlights the key areas of the study. The

next section reviews some available literature on key issue such as accountability in the public sector, the principal agent model in the context of public sector, local government system in Ghana both a brief historical perspective and present, of election of MMDCEs, and Accountability mechanisms in operation in Ghana's local government arrangement. Finally, discussion, conclusion and recommendation will be presented.

LITERATURE REVIEW

Political and Social Accountability

The concept of accountability is a fundamental component of democratic governance and for all aspects of human development, because it contributes largely to ensuring that the interests of the poorest and most marginalized groups in society are taken account of and therefore becomes a core human rights principle (Lister 2010). The focus of this article is on political and social accountability within local level governance of the Ghanaian context. These forms of accountability are closely related and afford citizens the opportunity to effect rewards and sanctions on public officials in charge of executing public policies (Jeluin, 1999, Jelmin, 2012). They empower local people to demand transparency and accountability from local government authorities (King et al. 2013). The principles of Principal-Agent model can be applied to political accountability which involves a sequence of Principal-Agent relationship in which citizens delegate their authority to elected political officials who in tend delegate same to the executive wing of government and civil servants (Christesen and Laegrid). According to these authors, accountability is vertically rendered downward the sequence.

Byrkjeflot et al. (2012), observed that, social accountability is as a result of distrust in government and the existence of several potential stakeholders in government or public sector. According to the authors in order to expel the mounting pressure on them, public agencies feel obliged to account for their activities to the general public, stakeholders, and interest groups through public reporting, public panels or through any available electronic media.

King et al., (2013) note that, the emergence of social accountability in the public sector is as a result of weakness in conventional accountability mechanism. Social accountability

they note that, creates an all-inclusive platform on which various actors such as the general public, private sector (service providers), Civil Society Organisations, government, media, etc., come together to ensure responsive local governments.

Social accountability, accounting to Lister (2010) involve citizens and other stakeholders demanding that government should live up to their obligations through different tools and approaches excluding elections. The World Bank (2006: 3) defined social accountability to mean: 'the broad range of actions and mechanisms (beyond voting) that citizens can use to hold the state into account, as well as actions on the part of government, civil society, media and other social actors that promote or facilitate these efforts' cited by (King et al., 2013). They observe that, due to the weakness of the downward accountability which is directly to the citizen has necessitated the employment of upward accountability through performance monitoring and grant conditionality

Both the political and social accountability afford citizens the opportunity to effect rewards and sanctions on public officials in charge of executing public policies (Jeluin, 1999, Jelmin, 2011). Devas and Grant (2003) identified three forms of accountability at the local government level. These include horizontal accountability of local government officials to elected representatives, downward accountability of elected representatives to local citizens and upward accountability of local government authorities to central government. That each of these works depend largely on availability of information. Government's accountability to its citizen must be a priority and not optional (Behn, 1998).

Accountability in the public sector is to ensure that public managers or those entrusted with public funds and resources render account of their stewardship of output and outcome to the citizens through elected officials. This calls for responsiveness to citizen's demand for effectiveness and efficiency in service delivery (Bertell and Lynn, 2003). Modernised local government should give power to local citizens through policy-making process, reforms, greater accountability and enhanced leadership role (Chandler, 2001). Wollman (2004) in his study of the German local government system, noted, a directly elected executive mayor is a kind of a local president, political and administrative

leader whom responsibility is rested on the individual. Wollman argue that, an elected mayor can easily be identified and be held politically accountable by the electorate and the councillors. The mayor in such a situation is motivated to exert influence on administration to be more responsive and citizen oriented.

However, Torsten et al. (1997) observed that elections are insufficient mechanism for sanctioning public officials, neither do separation of powers between the executive and legislative can prevent abuse of power and authority if appropriate checks and balances are not established. They argue that appropriate checks and balances are those which creates conflict of interest between the executive and legislative wings of government but at the same time require that both must agree on public policy and also, afford the citizens the opportunity to receive public information. Devas and Grant (2003) content that, local government level elections are not only infrequent but are also, won based on individual personality and to some degree ethnicity and not on programmes, performance and manifestos. Ahwoi (2010, p.60) noted, "direct election of DCEs will only favour 'home boys' which is likely to foment ethnicity and possibly result in permanent from the DCE's position of ethnic minority in the district. Wollman (2005) an advocate for election of Mayors, suggest that the election should be complemented with impeachment process involving community members and Councillors.

The Principal-Agent Model

The general principle of Principal-Agent is adopted as theoretical framework for this study which states that accountability involves two parties of which one is a principal and the other an agent. The agent is expected to perform a duty in the interest of the principal in expectation of incentives (Gailmard, 2012, Moe, 1984 Christesen and Laegrid 2015). The principal entrusts the agent with resources with performance targets set. The agent accounts for outcomes to the principal at a given time. When targets are met rewards are given in the form of promotion and remuneration. On the other hand, punishment is given when the targets are not met in the form of demotions and dismissals and in some cases the targets set are reviewed (Bertelli et al., 2003). Accountability in the public sector, following the principal-agent model is borrowed from the private sector as part of performance measuring tools. Principal

and agent's role in the public sector is a complex phenomenon in which the players except the citizens who are described as ultimate principals and subordinate bureaucrats who are also described as ultimate agents are dual (Moe, 1984). Moe observe that, accountability process is a chain of principal-agent relationships from citizen to politician to bureaucratic superior to bureaucratic subordinate and down the hierarchy of government to street level bureaucrats. (Moe, 1984, Blair, 2000). The agent at each level is accountable to his/her principal in a hierarchy through the politician ultimately to the citizens as the supper principals. Rewards and sanctions flows from the principals hierarchically down the ladder upwards (Moe, 1984, Blair, 2000). The citizens reward the elected officials by either retaining or punishing them by voting them out through periodic elections depending upon how they perceived their performance in between election while the others in the model receive commendations or sanctions by their principals in the form of wages, commendations and promotions. The principles of principal-agent are applicable at each stage of the public sector contractual arrangement (Moe, 1984). However, Torsten et al., (1997) argue that, political constitutions are incomplete contracts as they do not offer politicians an explicit incentives schemes associated with well-defined payoffs for their actions. The authors noted that, National Constitutions only assign duties of decision-making to politicians with stated procedures for making those decisions but unlike private sector contracts do not assign specific rewards and sanctions to contents of the decisions. The mechanism for controlling politicians is by periodic elections. What then happens in between elections? and also, how effective can politicians monitor and control their agents, the bureaucrats who have more information and experience on the job than them on behalf of their principals, the citizens, to ensure responsiveness. These questions are begging for answers.

Local Government Arrangement in Ghana.

Local governance in Ghana is not a novelty and has its historical antecedents in the indirect rule of the British colonial government system (Ahwoi, 2010, Crawford, 2004, Anwi-Bosiako, 2012). Awortwi (2011) argues that, Ghana like its counterpart Uganda, after independence fashioned their local government systems in accordance with the post-colonial context, a path which has become difficult politicians to

depart from. Lange (2004) observe, the British, gave local chiefs absolute power to govern their respective jurisdictions who then became accountable to the colonial rulers and not to their traditional subjects. According to Lange, even though, chiefs' right to their throne was according to their lineage, their continuous rule was subject to their willingness to collaborate with the colonial officials. According to Lord Lugard (1922, p.203) the accredited father of indirect rule, "The essential feature of the system... is that the native chiefs are constituted as an integral part of the machinery of the administration. There are no two sets of rulers—the British and the native—working either separately or in co-operation, but a single Government in which the native chiefs have well-defined duties and an acknowledged status equally with British officers. Their duties should never conflict and should overlap as little as possible. They should be complementary to each other, and the chief himself must understand that he has no right to place and power unless he renders his proper services to the State.

The chiefs were bequeathed with executive, legislative and judicial powers to regulate social relations in their chiefdoms. Their authority shifted from traditions and customs to bureaucratic rules (Lange, 2004, Offei-Aboagye, 2000).

In a specific case of Ghana local government during the colonial period was in the form of native administration which consisted of non-elected members mostly chiefs and their elders (Awortwi, 2011). It is noted that, after the independence in 1957 up to 1970 various governments both legitimately elected, and military regimes did not depart much from the colonial tradition except a move away from the use of traditional chiefs (Awortwi, 2011, Antwi-Bosiako, 2012). Awortwi contends that, during this period laws that were passed in relation to local government was to maintain the distinction between central government and the local government. These laws created two machineries of government one at the capital and another at the various branches referred to as Local Government Authorities. These local authorities were appointed civil servants and were not vested with political authority to oversee implementation of policies and projects. The oversight responsibility was in the hands of senior bureaucrats in the national capital who the street-level bureaucrats at the sub-national level government, always look up to for directives. One fact worth noting is that Ghana's

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political history after independence was punctuated with military takeovers until 1993 constitution which ushered in the Fourth Republic. The country has since enjoyed political stability. Both the constitutional governments and the military governments before the 1993 had expressed the willingness and some level of commitment for local governance but accountability, fiscal, and total political control were never trickle-down to the grassroots administrative.

The trend however, changed in the 1980s under the military junta of former president Rawlings whose main mantra was “power to the people” with full of socialist ideologist. The regime started putting up measures towards a full decentralisation and local governance system partly due to the global wave towards decentralisation and also, due to his personal belief in power belonging to the people. A major reform drive was launched leading to the promulgation of the Peoples National Defence

Council Law (PNDCL 207)of Local Governance with a Legislative Instrument 1589(Ahwoi, 2010, Awortwi, 2011, Antwi-Bosiako 2012, Adusei-Asante, 2012). The PNDCL 207 was consolidate by the 1992 constitution of Ghana with article 240 providing the framework for the local government system Adusei-Asante (2012) with a Local Governance Act of 1993 (Act 462) recently amended to Act, 2016(Act 936).Both the Constitution and the Local Government Act provide for a local government structure consisting of Regional Coordinating Council and four-tier Metropolitan structure and three-tier municipal/district structures. Thus, District assemblies, Municipal assemblies and Metropolitan assemblies(MMDAs) and below the ladder are; sub-metros (only at the metropolitans), zonal councils, urban/ town/area councils and at the basic are unit committees as indicated in figure 1 below.The structures below the MMDAs play delegated roles (Bawole and Ibrahim, 2017).

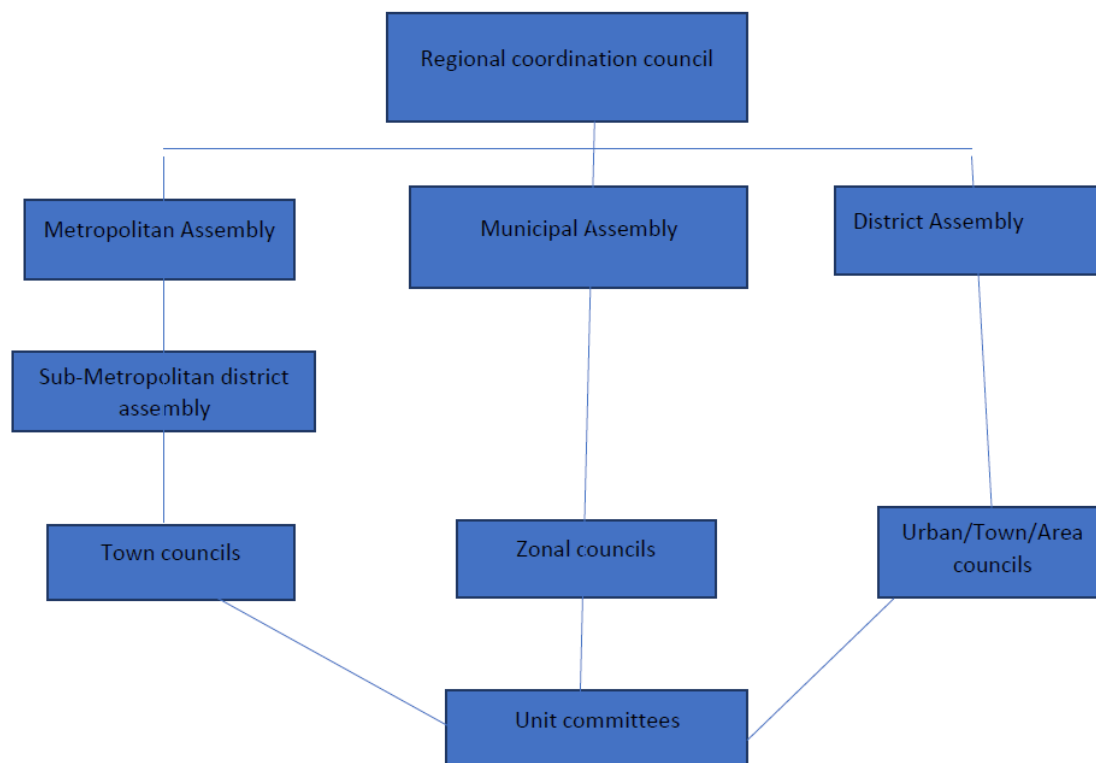


Figure1. Structure of Ghana's Local Government System

The distinction of the Assemblies is a function of population and urbanisation. A District should have a minimum population of seventy-five thousand, a municipal ninety-five thousand and a metropolitan two hundred and fifty thousand. The MMDAs are the highest administrative and political authorities in the Districts and each is headed by chief executives

(MMDCEs) who are appointed through a process of nomination by the president subject to prior approval by two thirds of Assembly Members (Councillors) present at a meeting of the respective Assembly and voting (1992 constitution of Ghana, local government act, Act 462). The administrative staff who are civil servants are headed by senior civil servant

designate as District Coordinating Directors (DCDs) who are directly accountable to their respective DCEs. A district assembly is composed of the MMDCE, elected councillors and not more than thirty percent of members appointed by the president. The DCE is the highest political authority in the District. The Assembly is vested with legislative, deliberative and executive functions.

The Assemblies are given quarterly grants originally five percent which has been amended to seven and half percent of total national taxed revenue shared among the assemblies through a District Assembly Common fund (DACF) administrator established by Article 252 of the 1992 constitution. The formula for disbursement of the DACF is determined by the administrator in accordance with three broad factor categorisation namely need, responsive and service pressure factors, aside equality factor which ensures that a percentage of the total expendable amount is shared equally among all Assemblies. The formula for each year's disbursement is presented by the Fund Administrator to parliament for approval. The Assemblies also, have access to Development Funds (DDF) and Urban Grants (UG) (in the case of metropolitan and municipal assemblies) from donors and development partners which are performance grants; Functional Organisational Assessment Tool (FOAT) (Bawule and Ibrahim). The utilisation of the DACF, and the DDF/UG are determined by the respective Assemblies but must be in adherence to general guidelines and prior budgets presented to Administrators of funds under consideration.

The Assemblies also have revenue-raising powers within their jurisdictions. Such revenues include rates, fees, rents, fines and licences and, investment and income from commercial activities (Banful, 2011).

The appointment of MMDCEs and a 30% of the councillors has raised the question of accountability. The argument has been that, Local government systems are in line with the concept of decentralisation and aim at bringing government to the door steps of the local people (Ofei-Aboagyei, 2000, Crawford, 2009). The local citizens must therefore have power to determine who leads them and to be able to hold these leaders accountable. Antwi-Bosiako (2012) observed that Local government accountability becomes effective only when local leaders are elected by their own people. He

argues that, this is the underlying factor for decentralization and democratic accountability.

The role of accountability for effective and efficient local government service delivery is so important that it must be carefully examined and properly situated. The question of who is accountable for what, to whom, when, how and why has been critical in the Ghanaian local government system and has attracted the attention of many scholars and practitioners (Crawford, 2009, Awortwi, 2011, Anwi-Bosiako, 2012, Adusei-Asante, 2012). The consensus among academia and other stakeholders has been that the MMDCEs should be elected by universal adult suffrage to make them more accountable to the electorate. Even though, the two major political parties the National Democratic Congress (NDC) and the New Patriotic Party (NPP) including some of the smaller ones in the country have given the issue prominence in their campaign manifestos during every general election since 2000 and promise to amend Article 243 (2) of the constitution to pave way the election, as Adusei-Asante (2012, p.104) puts it "it has remained lip service." The first appearance was in the NPP's 2000 campaign manifesto for presidential and parliamentary elections of that year. Subsequent elections have witnessed both the NPP and the NDC and smaller parties like the Progressive People's Party (PPP) putting it in their manifestos. It should be noted that, the two major political parties have won at least one election with the elections of MMDCEs featuring in their manifestos yet none of them has been to amend the constitution to that effect. This state of affairs could be partly traced to the colonial legacy of indirect rule system a path which Awortwi (2011) describes as "unbreakable". Others have also attributed it to the desire by political parties to control the District Assemblies any time they are in government to be able to exploit the political leverage that goes with it (Crawford, 2004, Antwi-Bosiako, 2010). Ahwoi (2010) given that, Ghana is a unitary state with a decentralised system of local government, participatory democracy and with an executive president to whom all agencies including those at the local level are accountable, it is right to appoint the MMDCEs as his/her representatives at various local governments. According to him, the MMDCEs have to account to the president as custodians of Central Government finances and resources transferred to the District Assemblies for development projects. Moreover, Ahwoi,

noted direct elections of these Chief executives is likely to compromise national unity, uniformity and maintenance of standards of delivering of certain key services such as education and health which are supposed to be of national character. The mechanism for controlling politicians is by periodic elections but the yet to answer question is what happens in between elections? and also, how effective can politicians control the bureaucrats on behalf of their principals, the citizens to ensure proper accountability. These are legitimate and critical questions due to the strategic nature of local government such as closeness to the people and every day interactions. Moreover, the mode of elections to be adopted for the election of MMDCEs in Ghana has been a contentious phenomenon and specific suggestion has been agreed upon.

Election of MMDCEs

Democracy is built on periodic transparent, free and fair elections and accountability process at any level of government and election of leaders by the citizens is fundamental. Blair (2003) elections are more effective tool than any other forms of democratic accountability such as public meetings or opinion surveys.

The right of citizens to directly elect their mayors has a great influence on power relations of the three levels of local political actors including the local citizens, the local council and the mayor in the German case (Wollman and Hellmut, 2004). In similar argument, Adusei-Asante, (2012) advocates for the election of MMDCEs in Ghana to free Assembly members (councillors) and unit committee (ward) members from the influence of the MMDCEs.

For local government to be effective and deliver quality service, the people must be giving greater say and greater freedom to local councillors. Chandler (2001) argues that the local people should be allowed to take decisions about new forms of local governance including changes in new voting system. Chandler is of the view that any local government reforms must choose among three models of; having a directly elected mayor with cabinet, cabinet with a leader or a directly elected mayor with a council manager. Any local government reform without adoption of any of these three, for Chandler in his own words is "a reflection of paternalistic culture, a demonstration of a concern with protecting vested interests' or yet worse as an indication of existence of an inward

looking culture that open the door of corruption and wrong doing"

Talking about protection of interest Wollman (2004) observed the fear of a direct elected mayor becoming too much powerful has been the reason for which most countries avoid implementation of election of such officers. Ahwoi (2010) argue local government is a check on an excessive power of a central government. Atkinson (2007) observed, in South/Africa even though the ANC government support the principle of local government accountability, the nationally appointing mayors for the local government set up has weakened the accountability processes.

Some scholars have cautioned against partisan election of mayors. Candidates who contest on political parties' tickets shall continue to remain accountable and loyal to their parties and not the citizens as noted by Ribot, (2009) in the Senegalese case. The parties will in turn protect them (a scenario of scratch my back and I scratch yours).(Gerber and Hopkins, 2011) parties' and their ideologies has a great influence in America cities who elect mayors who contest mayoral election either as a Democrat or Republican. The case is different with independent candidate. Wollman (2005) Advocate for a shift from political party nomination of mayoral candidate and that the entire process be limited to individual. He observed political party nominations foster politicisation of mayoral elections and local politics as a whole and limiting the nomination to individuals is likely to depoliticise not only the contest but local politics in general. The literature reviewed has given indication that local politics or local government should give real power to the people at the local level to decide and manage or mismanage issues affecting them. This is premised on the assumption that that the local people can best articulate their views on matters affecting them (Ahwoi, 2010). They should also decide who leads them and demand accountability from them since whatever resources at their disposal is held in trust on behalf of them. On the hand, some scholars have been sceptical about the elections of local leaders for various reasons (Ahwoi,2010, Ribot, 2009, Wollman, 2004 Devas and Grant, 2003)

Accountability Mechanisms in Ghana's Local Government Arrangement

Citizen participation has been identified as an opportunity for citizens to hold both elected

officials and appointed public officials accountable (Gaventa and Valderrama 1999). Kim and Lee (2017) specifically observed, empowering citizens to participate in decision making process in the local government is an indication of government readiness for transparency. The Local Governance Act of 2016, Act 936 section 40 clearly states that, "A District Assembly shall enable the residents and other stakeholders in the district to participate effectively in the activities of the District Assembly and the sub-district structures of the District Assembly". To offer citizens the chance of participating, Section 41 of the Act enjoins the Assemblies to publish drafts of their by-laws and fee-fixing resolutions in a media of mass communication in the district that includes radio, the print media, notice boards on the premises of the District Assemblies and in the major towns and settlements in the districts, before the commencement of proceedings on the draft by-law or fee-fixing resolution. The Act in section 43 equally give citizens and other stakeholders the right to petition the Assemblies on any matter which the Assembly is responsible for redress. The Local Governance Act entreat District Chief Executives to annually present sessional address on the state of their respective Districts which includes report on functions of the Executive committee, on their offices as well as report on citizens and stakeholder's participation to the General Assembly. Assembly Members are to subject the sessional address to debate and queries. Section 47 of the Act empowers citizens to request for any information held by their Assemblies except classified information. The DCDs who are secretaries to the Assemblies according to the act must ensure such information are made readily available to whoever is requesting for it.

For accountability on financial transactions, Article 175 of the Local Government Act charges each District Assembly to have an Internal Audit Unit which shall quarterly prepare and submit observations on financial transactions to the presiding member of the Assembly in question who doubles as the chairman of the Audit Report Implementation Committee (ARIC) of the Assembly. Also, is the external auditing performed by the outfit of Auditor-General. Article 176 stipulates "The Auditor-General or an auditor appointed by the Auditor-General shall, each year, audit the accounts of each District Assembly, together with the books, records, returns and other

documents relevant to the accounts and the financial statement" The Auditor-General is supposed to submit his/her report to the Minister of Local Government and Rural Development, Parliament and the audited District Assembly. The Auditor-General presents report of irregularities in the accounts audited and recommendations which the concerned Assembly takes into consideration at their ordinary meeting immediately after or as soon as the report is received. ARIC of each Assembly is charged with the responsibility of implementing recommendations of both the Internal Auditor and the Auditor-General's report.

DISCUSSION AND CONCLUSION

From the literature reviewed, there is assumption that, elections of MMDCEs and abolition of government appointment of 30% of Assembly members could enhance their accountability. However, there is the need for the elections to be complemented with social accountability mechanisms which empowers stakeholders such as the citizens, private individuals, Civil Society Organisations and mass media in the districts to be able to hold their leaders accountable in their day-to-day interactions. Elections at the local government level is plagued with personality considerations such as ethnicity, friendship, association membership instead of competence, performance, programmes and manifestos (Devas and Grant, 2003). Wollman (2005) supports elections but calls for complementing them with impeachment processes that involves both the citizens and the Councillors. Ribot (1999) argue that elections are not sufficient accountable mechanism and calls for other mechanisms which are more capable of keeping elected actors responsive to their community.

The elected officers are always in dilemma if political accountability is viewed from the perspective of principal-agent model as they are the watch dogs over the bureaucrats or civil servants receiving accountability on behalf of the people they represent in tend render to the people especially at elections. The bureaucrats with their expertise and long serving experience give them advantage over their political overseers resulting in information asymmetry (Moe, 1984). Moe argue that, whereas, information asymmetry has been a burden to politicians the story is different with stockholders in corporations. According to him, information asymmetry is reduced by external

mechanisms such as stock market evaluation of the company profitability, labour market evaluation of managers' economic value and threat of takeovers in corporations which make it easy for stockholders to control their managers. These are absent in public agencies and politicians only depend on reputation of bureaucrats which is difficult to ascertain. Politicians are able to reduce information asymmetry according to Moe by observing bureaucrats' behaviour over time to ascertain their honesty, competency, ideology, innovativeness and other relevant qualities. Another tool the politician can rely on is "decibel meter" which involves the feedback they receive from their constituents and beneficiaries of service delivery of the bureaucrats (Weigast, 1983 et al., McCubbins and Schwartz, 1984, Banks and Weingast, 1992). The political tools for politicians to control their agents according to Moe (1984) are less effective as compared to the economic tools available to the stockholders in private setting.

According to Niskanen (1975), budget-maximising bureaucrats depend on slacks as incentives and apply their informational advantage to the disadvantage of both the politicians and the citizens. He noted the bureaucrats are able to take the advantage not only because of their informational and expertise advantage, but because the politicians' main interest is not in economic efficiency and may not hold bureaucrats accountable on the reasons of efficiency and are likely to even see many inefficiencies as quite valuable once they border on patronage and increasing the chances of their re-election. He argues that, these are the focus of control and may ignore the rest of issues or either leave them to the discretion of the bureaucrats or use them as bargain chip with the bureaucrats in policy formulation process.

Politicians are also constrained in their control of bureaucrats by system of hiring, firing and promotion which is difficult to manipulate as these follow complex formal career path of civil service (Moe, 1984).

This paper is of the view that, the framers of Ghana's local government architecture as enshrined in both the 1992 Constitution, and original Local Government Act, 462 of 1993 amended Act 2016, (Act 936) have put in place enough checks and balances for accountability purposes which if strengthened and adhered to will lead to effective accountability and responsiveness of MMDCEs. These

Accountable mechanisms ranges from citizen participation, transparency and unimpeded information transmission to the general public and individual citizens that may demand for the information. The MMDCEs' mandatory yearly state of their Districts address to the Assembly Members at an ordinary meeting for debate which is open to the general public is an effective mechanism for accounting for their actions. The MMDCEs are already accountable to multiple forums range from the citizens, through their representatives the Assembly members, Regional Ministers of their respective regions and Minister for Local Government and the President. Each of these forums as enshrined in section 20 (4) of the Local Governance Act can call for the removal of a non-performing Chief Executive before his 4-year tenure of appointment expires. Equally important is the general public, Civil society, the mass media especially with the proliferation local radio stations social media the actions of MMDCEs are on day-day-day scrutiny. Districts who are dissatisfied with performance of their Chief Executives do not need to wait till their tenure of appointment expires but can appeal to the President and/or the Assembly members their removal from office. Ahwoi (2010, p. 61) "If DCEs are directly elected and there are no measures put in place to heck them, some of them will exercise the powers capriciously to the detriment of the people as some of them can be power-drunk dictatorial. In such a situation, the people will have to suffer until the next election before they can vote them out." Aside these, social Accountable mechanisms are the internal and external auditing of financial transactions which the reports are not only submitted to Constitutional bodies but are put into public domain either by placing them on the Assemblies notice boards or electronically on their website and on the Internet which is accessible to the general public without limitations.

From the discussions, the paper concludes that, there could be accountability problems of the current local government system in Ghana, but the problem can't wholly be placed on the Constitutional and Legal frameworks. The problem is rather due to non-adherence to the checks and balances mechanisms put in place by the framework, ether because of lack of necessary human capacity and motivation, dual Accountability of civil servants, existence of Information gap on one hand or just mere neglect.

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The MMDCEs are the political and administrative heads of their respective District Assemblies and are therefore charged with responsibilities of monitoring civil servants who are technocrats either by trained or by long years of service. These civil servants who include the staff of the Assembly and staff of other departments of the Assemblies have advantage of information asymmetry and professional advantages over the MMDCEs and will always as rational beings exploit it to their advantage. The MMDCEs are not also able to hold the Civil Servants accountable because they don't hire, promote and can't fire them. These bureaucrats rather feel more accountable to their superiors at the national headquarters who are involve in these processes.

The Assembly members as not only not motivated in a form of remunerations but they are not also logistically resourced to reach out to their constituents to take their views and inform them. This situation of motivation is not attracting capable men and women to be Assembly members and those who offer themselves for Assembly members do it voluntarily (Adusei-Asante, 2012, King et al., 2013). According to Adusei-Asante, the situation has also, made the Assembly members vulnerable to the MMDCEs as they look up to them for either personal or communal favours which makes them lose their senses of holding the MMDCEs accountable for their actions. Coupled with this, is the weakness of the local government sub-structures. Both the Assembly members and their unit committees sometimes don't even understand the issues on which they are to hold the MMDCEs accountable neither do the general public get access to the requisite information for the purposes of holding their MMDCEs accountable.

RECOMMENDATIONS

Following the experience, expertise and informational advantage the bureaucrats have over the political actors in the local government set up, this paper suggests that, the Constitutional and Legal provisions be strengthened and adhered to by instituting mandatory regular and time bound training programmes and workshops for the MMDCEs, Assembly members and members of the local government sub-structures (Town/Area / Urban / Zonal / Sub-Metropolitan councils) and Unit Committee members to be abreast with especially financial management, procurement, project management, planning and budgeting

issues and new policy directives and implementation. Generally, MMDCEs should be oriented on fundamentals on Public Administration. Also, the paper recommends that, Assembly members in order to be able to have frequent interaction with their constituents, be resourced by revisiting the issue of mobility which was started by the NDC government by providing them means of transport (motor bikes). The Assembly Member, should be given monthly stipends depending on the financial capabilities.

The MMDCEs as political and administrative heads of the MMDAs should be given an increase discretionary powers over utilisation of funds entrusted to them to be able to deliberate with both the Assembly members, citizens and other relevant stakeholders in their respective jurisdictions to decide on their own priority development needs.

Accountability in local government is strongly built on citizen participation in the governing processes, through openness, transparency and timely provision of information. Downward accountability according to Crawford (2004) in addition to elected representation should be appropriate channels for citizens and civil society participation for both policy inputs and scrutiny of performance. In this age of digital world accompanied with proliferation of mobile telephony and social media revolution, the paper suggests that the Assemblies should adopt electronic participation (e-participation) to be able to stimulate interactions and discussions between them and the citizens (LG2C) and between citizens themselves (C2C) on the Assembly Programmes (Gronlund and Albinsson, 2012).

Information Services Department (ISD) and National Commission on Civic Education (NCCE) should be resourced for public education on citizens' rights and responsibility. Sanctions should be meted out to Assemblies who do not adhere to strict compliance of the Constitutional and the Legal provisions by for example withholding some financial allocations and those who comply should be giving financial rewards outside the usual transfers for more development.

These measures if are put in place will ensure accountability and responsiveness as citizens, Assembly members and other stakeholders will be enlightened and emboldened to be able to hold the MMDCEs and the team of civil servants responsible. MMDCEs' capacity will

be built to exercise their oversight responsibility of the bureaucrats. As Crawford (2009) suggest, the District Co-ordinating Directors (DCDs) as the highest-ranking civil servants, should be appointed by and accountable to the MMDAs as the head of the local government service.

This paper will not recommend elections of MMDCEs given that, the academia, the politicians, the media, Civil Society and other relevant stakeholders have not been able to suggest any mode of elections and that elections of local government Chief Executives in other jurisdictions have proving ineffective mechanism for holding them accountable for their action. Finally, and more critical, given also that, the Assembly members and unit committee election which the legal framework categorically frowns upon are openly tainted with partisan politics with impunity. This is enough evidence that election of MMDCEs cannot be purge of political taint which Ribot (1999, p.3) observe that such elected local level leaders are “ultimately accountable to the nationally registered parties based in the capital, rather than to the local population”.

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