

THE INSTITUTE OF ECONOMIC AFFAIRS

DEMOCRACY CONSOLIDATION STRATEGY PAPER

Addressing Ghana's Democracy Gaps

August 2008

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ACRONYMS & ABBREVIATIONS

- ADR: Alternative Dispute Resolution
- AfDB: African Development Bank
- AFRC: Armed Forces Revolutionary Council
- APRM: African Peer Review Mechanism
- AU: African Union
- CBOs: Community-Based Organisations
- CEPS: Customs, Excise and Preventive Service
- CHRAJ: Commission on Human Rights and Administrative Justice
- CPP: Convention Peoples Party
- CSOs: Civil Society Organisations
- DA: District Assembly
- DACF: District Assemblies' Common Fund
- DACFA: District Assemblies' Common Fund Administrator
- DANIDA: Danish Development Agency
- DCE: District Chief Executive
- DCSP: Democracy Consolidation Strategy Paper
- DFP: Democratic Freedom Party
- DISEC: District Security Committee
- DPCU: District Planning Coordinating Unit
- EC: Electoral Commission
- GIJ: Ghana Institute of Journalism
- GIMPA: Ghana Institute of Management and Public Administration
- GJA: Ghana Journalists Association
- GPRS I: Ghana Poverty Reduction Strategy 2003-2005
- GPRS II: Growth and Poverty Reduction Strategy 2006-2009
- IEA: Institute of Economic Affairs
- ILGS: Institute for Local Government Studies
- INEC: Interim National Electoral Commission
- IPAC: Inter-Party Advisory Committee
- L.I: Legislative Instrument

- MDAs: Ministries, Departments and Agencies
- MMDA: Metropolitan, Municipal and District Assemblies
- MP: Member of Parliament
- NCA: National Communications Authority
- NCCE: National Commission for Civic Education
- NCD: National Commission for Democracy
- NDC: National Democratic Congress
- NDPC: National Development Planning Commission
- NGOs: Non-Governmental Organisations
- NIMD: Netherlands Institute for Multi-party Democracy
- NLC: National Liberation Council
- NMC: National Media Commission
- NPP: New Patriotic Party
- NRC: National Redemption Council
- NUGS: National Union of Ghana Students
- PDA: Preventive Act
- PM: Presiding Member
- PNC: Peoples National Convention
- PNDC: Provisional National Defence Council
- PNDCL: Provisional National Defence Council Law
- RCC: Regional Coordinating Council
- REGSEC: Regional Security Council
- ROPAA: Representation of the People (Amendment) Act
- RPCU: Regional Planning Coordinating Unit
- SFO: Serious Fraud Office
- SMDC: Sub-Metropolitan District Council
- UC: Unit Committee
- UGCC: United Gold Coast Convention
- UNDP: United Nations Development Programme
- UP: United Party
- UZTACs: Urban, Zonal, Town and Area Councils

FOREWORD

In October 2006, The Institute of Economic Affairs (IEA) commissioned a team of three consultants to prepare a Democracy Consolidation Strategy Paper (DCSP) to address the deficiencies in Ghana's democratic practice since the coming into force of the 1992 Constitution on 7th January 1993 and to propose practical reforms.

The Democracy Consolidation Strategy Paper (DCSP) is the product of two years of challenging and inspirational work, coming three years after the establishment of The IEA/Ghana Political Parties Programme (GPPP)

Before that time, the Ghanaian political landscape had been dominated by acrimony, rancour and bitterness among the political parties. Long years of undemocratic and unconstitutional rule had stunted the growth of strong, viable and self-confident political parties. Leaders of the political parties were not talking to each other and were sometimes antagonistic towards each other. The lack of avenues for political parties to engage constructively on partisan and national issues created suspicion, fear and hatred. If trust was to be built, then the mileage for building institutional capacity and inter-party engagement needed to be built and increased, since experience shows that constant engagement leads to the shedding of extreme partisanship.

When the political parties agreed to form the GPPP, the whole country must have silently shouted 'Eureka', or "we have found it". Subsequent developments have shown that through the medium of the GPPP, the country may indeed have found the vehicle for building the necessary institutional capacity, inter-party engagement and the needed inter-personal networks that would enable Ghana to consign the past rancour, bitterness, divisiveness, suspicion, hatred and acrimony to the dustbin of history.

Once established, the GPPP identified three major objectives as key to the strengthening of multiparty democracy in Ghana. These were:

- The creation of a level playing field for all political parties in Ghana;
- The building and strengthening of the institutional capacity of Ghanaian political parties;
- The enhancement of the image of political parties in the eyes of the electorate.

Two structures that were established by the Programme contributed in no small measure to the achievement of the objectives. These were:

- The Chairmen's Caucus, comprising the National Chairmen of the four political parties with representation in Parliament; and
- The Platform of General Secretaries and Policy Analysts of the four parties.

The above structures enabled the leadership of the political parties, for the first time, to meet at the highest levels at the same forum to discuss issues of national importance and reach consensus on some of these issues.

The following have been some of the direct outcomes of the programmes and activities of the GPPP:

- A spirit of camaraderie has developed amongst the executives of the political parties which hitherto did not exist. Today, representatives from the various sides of the political divide are publicly seen together. They discuss openly and freely pertinent issues regarding internal party democracy and other matters. This spirit has seeped down to the membership of the political parties and has helped reduce the tension and acrimony that characterised the relationships between and among the political parties in the period before the advent of the GPPP.
- The Code of Conduct formulated for the 2004 elections (and revised for the 2008 elections) served as a useful guide to party activists and operatives and enabled a cleaner and more sombre and sober campaign to be conducted.

- The only time the Presidential candidates met at a common forum for the 2004 elections was when three of them participated in The IEA-sponsored Presidential Debate of that year. Two similar Debates are scheduled in 2008.
- The National Youth Organisers of the political parties at their inter-party forum in 2007 signed a communiqué in which they agreed to work on common pro-Youth programmes and activities irrespective of their individual parties' positions on those programmes and activities.
- The Women's Wings of the political parties at their inter-party forum in 2007 likewise made a collective commitment to "Affirmative Action for Women". Each political party will work out detailed programmes for the attainment of this commitment and these will be reviewed at the GPPP.
- The IEA/Ghana Political Parties Programme spearheaded the formation of a sub-regional political party body known as the West African Regional Political Parties Programme made up of 19 political parties from 8 countries in the sub-region.
- A draft "Public Financing of Political Parties Bill" and a draft "Political Parties (Amendment) Bill" have been finalised, published and launched and are awaiting passage and enactment.
- An "Evening Encounter Series" has been organised for the 4 Presidential candidates of the political party members of the GPPP which were broadcast live on radio and television as part of the pre-2008 election campaign.
- A draft 'Presidential Transition Bill' which seeks to establish the arrangements for the political transfer of administration from one democratically elected President to another democratically elected President has been developed.

At most of the meetings and symposia of the political parties, representatives were able to reach consensus on issues that had previously appeared intractable and on which different political parties appeared to have had divergent or even irreconcilable positions. This definitely was a major advance in the country's quest for a viable, stable and functional multiparty system of governance.

The IEA/Ghana Political Parties Programme has worked on several issues with the EC and NCCE whose Commissioners often chair, present papers at or partic-

ipate in various functions of the GPPP. This has led to a public recognition of the Programme as one that is national, neutral and objective.

The IEA/Ghana Political Parties Programme also brings together Civil Society Organisations (CSOs) to be part of dialogue and debate on critical policy issues confronting the country. Various nationwide grassroots symposia organised by the Programme demonstrated that despite their political differences, the senior political party representatives could work together and reach consensus on issue for the national good.

Various documentation and reports on The IEA/Ghana Political Parties Programme disseminated nationwide has given the Programme publicity and recognition as a programme that seeks to deepen multiparty democracy, build the institutional capacity of political parties and create a level political playing field.

Today the political party members of The IEA/Ghana Political Parties Programme irrespective of whether they are in government or not, have well-run and functioning Party Secretariats manned by full-time staff. The parties have access to facilities such as the Internet, telephone, fax and all mod cons which help them to undertake appropriate research.

Through various activities ranging from Workshops through Retreats to Symposia, The IEA/Ghana Political Parties Programme has developed a strong relationship with key media houses which cover those activities. This has resulted in several newspaper articles, radio and TV presentations which cast the Programme in a very positive light and have no doubt contributed to the GPPP being recognised as an effective national programme.

After its initial successes, the Programme in 2004 contracted two consultants to review and evaluate it. The consultants - Professors Djistraat of The Netherlands and Kumado of Ghana - gave the Programme a positive rating. Subsequently, Professors Reginald Austin of Zimbabwe and Kofi Kumado of Ghana worked closely with the Platform of General Secretaries and Policy Analysts to produce a draft Democratic Consolidation Strategy Paper (DCSP) which was restricted to political party operations and activities only.

As mentioned earlier, The IEA commissioned a Team comprising Professor Yaw Twumasi, formerly of the University of Michigan, Dr. William Ahadzi of the University of Ghana and Mr. Kwamena Ahwoi of GIMPA, to expand the Austin/Kumado Paper and produce an expanded Interim DCSP to be used as the basis for a country-wide consultation aimed at fleshing out a more comprehensive DCSP. The Team submitted the Interim DCSP in December 2006. Thereafter the whole of 2007 was taken up for consulting with stakeholders at the national and regional levels on the proposals in the Interim DCSP as well as solicit new and fresh proposals. The present DCSP is the outcome of those consultations, considerations and proposals.

The remit of the Team of Consultants was basically to prepare a DCSP to address identified deficiencies in Ghana's democratic practice since the coming into force of the 1992 Constitution in 1993 and to propose practical reforms in the following areas:

- The macro-political environment, examining particularly the Constitution, political parties and the electoral system;
- The legislative framework for governance, particularly how to make Parliament more effective;
- The agenda for good governance covering such subjects as decentralization, anti-corruption, human rights, media independence and the role of chiefs, women and the youth in governance;
- Judicial independence and the justice system;
- The role of civil society organisations in the governance system.

The present DCSP is structured as follows:

- Introduction
- Brief Post-Independence Political History of Ghana
- The State of Governance in Ghana in the Fourth Republic
- The Challenges of the Current Democratic Practice
- Strategies for Democratic Consolidation
- DCSP Implementation
- Monitoring and Evaluation Plan
- Conclusion

- Performance Indicators for Democracy Consolidation
- Estimated Programme Costs.

For purposes of validating its findings and fine-tuning its recommendations, the Team of Consultants circulated the penultimate draft of the final DCSP to a wide range of stakeholders for their comments and held discussions with them. They included the political party members of the GPPP, the Christian Council of Ghana, the National Catholic Secretariat, Federation of Ghana Muslims, Her Lordship the Chief Justice, the Ghana Bar Association and the Trades Union Congress. Some of these individuals and organisations therefore took advantage of their fore-knowledge of the DCSP recommendations which found favour with them to either announce them as initiatives or even begin to implement them. For us at The IEA, this is a measure of acceptability and success of the DCSP.

Finally, we would like to express our appreciation to the Netherlands Institute for Multiparty Democracy (NIMD) whose assistance and encouragement made this project a success.



*Mrs Jean Mensa
Administrator
August 2008*

DEMOCRACY CONSOLIDATION STRATEGY PAPER

Introduction

History and Meaning of Democratic Practice in Ghana

Ghana's political history since her independence in 1957 reflects an alternation between non-constitutional governments and democratically elected governments. Ghana began her independent existence with a multi-party democratic system. However, with the legislation introducing a one-party state in 1964 and the proscription of multi-party politics that followed in the wake of that legislation, Ghana's political system became increasingly authoritarian.

The transition to authoritarianism was complete with military interventions in politics starting in 1966 and ending in 1993, although there were two short democratic interludes in 1969-1972 and 1979-1981. This history raises the important question of what meaning to attach to the terms "democracy" and "democracy consolidation" when describing the processes that have been unfolding in Ghana since 1993. The problem with the two is that countries with markedly different political systems and ideologies also use the terms to describe their various political cultures and practices.

To avoid the debate on the diversity of meanings of the concept of democracy as evident in political science literature, this Paper defines democracy by considering the principles, ideals, values and institutions which Ghanaians, over the past five decades, have constantly aspired for, in the search for an appropriate political framework for development.

¹ Act 224 amended the 1960 Constitution to read in Act 1A; there shall be one National Party which shall be the vanguard of the people in their struggle to build a socialist society and which shall be the leading core of all organization of the people.

Democracy in the Ghanaian Context

The term "democracy" in the Ghanaian context, is used to denote a political system that has three main characteristics: a meaningful and extensive political competition among individuals and organized groups (notably political parties and interest groups) for all important positions of governmental power, for which competition should occur at regular intervals and exclude the use of force; the existence of an inclusive level of political participation in the selection of leaders and policies through regular free and fair elections in such a way that no major group - social, ethnic, regional or religious - is excluded; and thirdly, the existence of a level of civil and political liberties sufficient to ensure the integrity of meaningful competition and political participation, where every person enjoys certain basic rights including the right to express how he or she is governed, the freedom to criticize the government, the freedom to express one's views and to associate with others, protection from arbitrary arrest; and the freedom to practice one's religion.

Any effort to consolidate this democracy must therefore consider these three basic factors.

Relationships

The first concerns the nature of relationships among the defining principles of democracy: competition through elections, popular participation and civil liberties. Political participation and civil liberties have evolved independently of each other but are not mutually exclusive. Civil liberties, for example, existed in colonial Gold Coast (Ghana) well before the introduction of universal adult suffrage which enabled Ghanaians to participate in elections and influence political decision-making. In the mid-1960s, under the single party rule of the Convention Peoples Party, opposition was outlawed as constitutional opposition was seen as a vehicle of disunity rather than as a means of legitimately and constructively expressing dissent. Thus, there can be free political regimes which are not democratic, and there can be political systems with universal adult suffrage which lack institutional arrangements that enable citizens to make meaningful choices during elections. The nature of the relationship among the core elements of democracy is thus clearly a historical one.

Democracy is an element in politics, not something to be hoped for at every stage in a nation's political development, or in every historical and social circumstance of a nation. The process of democratization is invariably set off by a struggle between stable social classes and social groups over issues that matter profoundly to them. The struggle may be protracted and may be eventually resolved by the adoption of effective procedures for conflict resolution and accommodation of entrenched interests. Democracy is invariably the historical outcome of such struggles. The political struggle in Ghana in the 1980s which resulted in the adoption of the 1992 Constitution is illustrative of this historical process.

In this struggle for democracy, Ghana, like other African nations, has borrowed ideas, rules, procedures and institutions from Europe and the USA, among which ideas are constitutional rights, constitutional positions like the Presidency and Cabinet Ministers and political institutions like the Electoral Commission. Such borrowed institutions, function differently in entirely different historical and social conditions to reflect the culture and history of the borrowing nation.

However, the underlying values of such institutions should be values all democratic nations share. Not all countries that claim to be democratic perfectly embody these ideals and values in their institutions and practices. Some countries fall short of some of these ideals; others, at certain historical junctures, may be at different positions with regard to the expression of these ideals and values in their institutions and laws. It thus makes more sense to talk about "democratization" rather than the attainment of democracy.

This is the historical sense in which this Paper uses the term "consolidation of democracy": the process by which institutions, procedures, rules and organisations acquire value and stability over time. It also involves the process of socialization, through political participation and practice, and familiarity with the organisations and rules and consequent development of skills and habits for dealing with them. In short, the term will be used to denote the emergence of stable democratic institutions and a democratic political culture.

Finally, the consolidation of democracy depends crucially on the moral qualities of the citizens of a nation. The inclusion of human rights and rule of law in a constitution is a necessary but not a sufficient condition for securing democracy. The

norms and unwritten rules of society are of critical importance. The commitment of the people to maintain democratic rule; the integrity and honesty of the citizens; their level of education and income; their tolerance of dissent, of opposition and minority rights; and their determination to maintain high standards of public morality, are all essential in consolidating democratic rule.

CHAPTER 1

BRIEF POST-INDEPENDENCE POLITICAL HISTORY OF GHANA

Agitation for political independence gained momentum in the immediate post World War II years. The period marked the birth of the two political traditions that dominated politics in Ghana subsequently and that have become known as the Danquah-Busia neo-liberal tradition and the socialist Nkrumaist tradition. Disagreement on the approach to attaining political independence from Britain compelled Nkrumah to resign from his post as the General Secretary of the then United Gold Coast Convention (UGCC), founded on August 4, 1947, to found the Convention People's Party (CPP) on June 12, 1949, with a mission to fight for 'Self-government Now'. The UGCC with its liberal orientation, sought to wrest power from the colonial government through constitutional means 'within the shortest possible time.'

By 1957 when the Gold Coast Colony gained independence from Britain and became Ghana, both traditions had developed strong social identities, drawing on different groups for their support. Nkrumah's CPP drew its support from those who had not formerly been involved in national politics: the working classes, the rural people and the youth, the so-called "Veranda Boys", while the UGCC appealed more to the country's professionals and middle classes, business groups and traditional rulers. The mass appeal of the CPP, and the tenor of its decolonisation message, accounted largely for the CPP's victory over the UGCC.

The struggle for independence by these two parties was characterised by fierce conflicts based on ideological differences and on demands for regional autonomies. These intensified in the immediate post-independence era and culminated in the passage of the Preventive Detention Act (PDA) in 1958. The PDA jus-

tified by government as a reaction to subversive acts by the Opposition, permitted the government to detain, without trial, anyone suspected of engaging in acts that, in the reckoning of the government, undermined the security of the state. It was effectively used by the CPP Government to enfeeble the opposition UP, the amalgamated opposition party that had formed following the passage of the 'Avoidance of Discrimination Act, 1958 (No. 38)'.

One of the biggest casualties of the PDA was Dr. J. B. Danquah who had contested Kwame Nkrumah in the pre-Republic Presidential election. The CPP regime was overthrown by the National Liberation Council (NLC) on February 24, 1966 on grounds of abuse of democratic freedom, failed policies of economic nationalism and high-handedness.

The government of the National Liberation Council handed over to an elected Prime Minister, Dr. K. A. Busia in 1969. The Busia government itself was ousted by yet another military coup on January 13, 1972 and replaced by the Government of the National Redemption Council (NRC). The military remained in power for close to two decades (1972-1993), except for the brief period of constitutional rule (August 1979- December 1981) under President Hilla Limann.

This period of extended military rule characterised by abuse of human rights and economic hardship at least in the period up to 1989, included the two occasions on which Flight Lieutenant Jerry John Rawlings burst on the national political scene, first as Chairman of the Armed Forces Revolutionary Council (AFRC) on 4th June 1979 and then as Chairman of the Provisional National Defence Council (PNDC) on 31st December 1981.

Since then, the constitutional evolution of the country has stabilised at the Fourth Republic commencing from 7th January 1993, under which there have been four successful Presidential and Parliamentary elections, constitutional governments, the first two formed by the National Democratic Congress (NDC) and the latter by the New Patriotic Party (NPP).

In 2000, history was indeed made with the handing over of power by one constitutionally elected government to another of a different political party.

This brief summary of the political and constitutional development of Ghana is presented in the Chart below:

Post-Independence Political and Constitutional Development of Ghana: A Summary

Year	Event	Basic Law	Legislative Body	Executive Body
(1) 1957	Independence (Convention Peoples Party Government)	Independence Constitution	Parliament	Queen + Prime Minister + Cabinet
(2) 1960 (January-June)	Constituent Assembly (CPP Government)	Independence Constitution	Constituent Assembly	Queen + Prime Minister + Cabinet
(3) 1960 (1st July 1960)	1st Republic (CPP Government)	1st Republican Constitution	Parliament	President + Cabinet
(4) 1966 24 th February)	1st Coup d'Etat (NLC Government)	National Liberation Council (Establishment Proclamation)	National Liberation Council (NLC)	National Liberation Council (NLC)
(5) 1969 (August)	2nd Republic (Progress Party Government)	2nd Republican Constitution	Parliament	President + Prime Minister + Cabinet
(6) 1972 (13 th January)	2nd Coup d'Etat (NRC Government)	National Redemption Council (Establishment Proclamation)	National Redemption Council (NRC)	National Redemption Council (NRC)
(7) 1975	Revised Composition and re-naming of the NRC	Supreme Military Council (SMC)(Establishment Proclamation)	Supreme Military Council (SMC)	Supreme Military Council (SMC)
(8) 1978	"Palace Coup"	-Ditto-	-Ditto-	-Ditto-
(9) 1979 (June 4 th)	Military "Uprising" (3rd Coup d'Etat) (AFRC Government)	Armed Forces Revolutionary Council (Establishment Proclamation)	Armed Forces Revolutionary Council (AFRC)	Armed Forces Revolutionary Council (AFRC)
(10) 1979 (24 th September)	3rd Republic (Peoples National Party Government)	3rd Republican Constitution	Parliament	President + Cabinet
(11) 1981 (31 st December)	"Revolution" (4 th Coup d'Etat) (PNDC Government)	Provisional National Defence Council (Establishment Proclamation)	Provisional National Defence Council (PNDC)	Provisional National Defence Council (PNDC)
(12) 1993 (7 th January)	4th Republic (National Democratic Congress Government)	4th Republican Constitution	1st Parliament of the 4 th Republic	President + Cabinet
(13) 1997 (7 th January)	4th Republic (NDC Government)	4th Republican Constitution	2nd Parliament of the 4 th Republic	President + Cabinet
(14) 2001 (7 th January)	4th Republic (New Patriotic Party Government)	4th Republican Constitution	3rd Parliament of the 4 th Republic	President + Cabinet
(15) 2005 (7 th January)	4th Republic (NPP Government)	4th Republican Constitution	4th Parliament of the 4 th Republic	President + Cabinet

CHAPTER 2

THE STATE OF GOVERNANCE AND DEMOCRACY IN GHANA UNDER THE FOURTH REPUBLIC

2.0 Background

Since 1993, the political landscape of Ghana has been characterized by a multi-party system of governance with Government and opposition engaged in healthy and sometimes acrimonious debate; a Parliament that is designed to act as a check on the Executive; a Judiciary that is struggling to assert its independence and a reasonably free media that could, with time live up to its billing as the "Fourth Estate of the Republic".

From an initial ten (10) political parties that registered with the then INEC (Interim National Electoral Commission) when the ban on political parties was lifted in 1992, Ghana today has fifteen (15) registered political parties. Eight (8) of these are visible whilst five (5) (The New Patriotic Party), The Convention Peoples Party, The Democratic Freedom Party (DFP), The National Democratic Congress, and The Peoples National Convention (PNC) are very active.

2.1 The Legislature

Four of the political parties have representation in Parliament as follows: NPP (129), NDC (93), PNC (4) and CPP (3) whilst there is one independent Member of Parliament (MP).

³ According to the 1992 Constitution, the person elected President can only serve for 2 terms

2.2 Executive Power

Executive power is currently vested in HE John Agyekum Kufuor, who was elected to his second and final 4-year term in December 2004. He is the Head of State, Head of Government and Commander-in-Chief of the Armed Forces of Ghana. He was elected in 2004 with 52.4 per cent of the votes, beating the NDC's Professor John Evans Atta Mills to second place with 44.6 per cent of the votes. The NPP's control of both the executive and the legislature eases the problem of ministerial appointments by the President as Ghana's Constitution requires that majority of Ministers should be appointed from within Parliament.

The most outstanding landmarks of Ghana's democratization process have been the survival of the Constitution beyond the first term of the first Government under the Constitution and the historic transfer of power from the then ruling NDC Government to the then opposition NPP in 2001, both firsts in Ghana's political history.

2.3 Decentralization

Decentralization is another important feature of Ghana's political landscape. There are 166 Metropolises, Municipalities and Districts, each with its Assembly (70 per cent of the members are elected and 30 per cent are appointed). Two issues of political decentralization continue to dominate political debate on local government in Ghana:

- Whether or not local government elections should remain non-partisan or should be made partisan;
- Whether the head of the district, i.e. the District Chief Executive (DCE), should continue to be appointed by the President with the prior approval of the District Assembly; be directly elected by the people; or whether some other form of procedure for assumption of office ought to be considered.
- In dealing with the position of the DCE, the caution was raised about the need to avoid districts becoming potential battle grounds for superiority by the various political parties. The issue was raised for example as to

what the situation would be if an elected DCE belonged to a different political party from that of the President.

Serious efforts at administrative decentralization and decentralized planning are under way, and a constitutionally mandated District Assemblies Common Fund ensures that a minimum of 7.5 per cent of the total national revenue is guaranteed to the local governments as a feature of fiscal decentralization.

2.4 The Judiciary

The Judiciary is reasonably independent. However, the absence of a maximum limit to the number of Supreme Court Justices that can be appointed by the President makes it prone to executive manipulation.

2.5 The Media

With over twenty (20) regular newspapers, hundred (100) FM radio stations and five (5) TV channels, media pluralism is now very much a part of the Ghanaian political environment. The media is vibrant and greatly aids the democratization process, facilitated in part by the repeal of the Newspaper Licensing Law and the Criminal Libel Law.

2.6 Electoral Commission

The Electoral Commission (EC) established under the 1992 Constitution is the most visible and important of the independent constitutional institutions. It is responsible for the conduct of all public elections and referenda in the country. The Inter-Party Advisory Committee (IPAC), an informal, non-legislated body of representatives of all the registered political parties ensures the active involvement and constructive engagement of the political parties in the design and implementation of the programmes of the EC. A creation of the EC, it meets regularly to help improve the electoral system and resolve inter-party disputes.

2.7 Other Constitutional Institutions

- The National Commission for Civic Education (NCCE) established under the 1992 Constitution has as its main object the education of the citizenry on the Constitution and about their civic rights and responsibilities.
- The National Media Commission (NMC) is the constitutional body responsible for promoting and ensuring the freedom and independence of the media as well as ensuring the establishment and maintenance of the highest journalistic standards in the mass media.
- The Commission for Human Rights and Administrative Justice (CHRAJ) performs the functions of the Ombudsman and ensures that the fundamental human rights of the people are respected and also that the state exercises its sovereign powers when faced with clear and present danger.

THE CHALLENGES OF THE CURRENT DEMOCRATIC PRACTICE

3.0 Introduction

Stable macro-political environments and functioning constitutions are central to entrenching democratic practice that is based on the rule of law. Constitutional provisions typically define political processes and relationships, distribute power within the state and between state and non-state institutions and generally provide the macro-political context within which democracy is practised.

Democratic values typically find expression in processes and institutions that have historically evolved to secure the rights of individuals and the right of the state to exist and to ensure that it can exercise its sovereign powers. Where these processes and institutions become incapable of protecting rights and by extension, of promoting an effective functioning of the state apparatus, the political system collapses, compromising democracy in the process and in extreme cases, causing a failure of the state. These relate to the operations of political parties, the electoral process, the practice of good governance, decentralisation, the media, civil society, women, the youth and chieftaincy. Some of the key emerging challenges to the efficient operation of the processes and institutions within the macro-political environment in Ghana are discussed in what follows.

3.1 Structural Elements of the Macro Political Environment

3.1.1 The Constitution

Ghana's fourth attempt at adopting representative constitutional democracy as a form of government has been guided primarily by the provisions of the Fourth Republican Constitution. The Constitution, with its 26 Chapters and 2 Schedules comprising Transitional Provisions and Oaths, constitutes the fundamental law of the land and provides the macro-political environment for democratic governance. It is faithful to the democratic concepts of separation of powers (executive, legislature and judiciary), checks and balances, the rule of law, fundamental human rights and an independent judiciary. It also contains the framework for the operation of political parties, the democratic representation of the people, an independent Electoral Commission, freedom and independence of the media as well as political and public education.

Despite this, a number of issues however emerged during the national and regional consultations on some operational issues that need to be reviewed to aid the maturation of the democratization process in Ghana. These include:

- The Constitution as a hybrid of Presidential and Parliamentary systems of government and the attendant difficulties it raises, including the appointment of Members of Parliament as Ministers and the possible defection of a sitting President or Vice President from the governing party;
- What should be done when a sitting President defects from the party on whose ticket he won on election as President, when a sitting vice President resigns, and/or is replaced or defects from the governing party;
- The constitutional requirement (Article 78 (1)) that a majority of Ministers be appointed from Parliament;
- Following from the above, what would happen if any of the following scenarios should play themselves out in the future:
 - (i) A Presidential candidate wins the Presidency but his political party fails to win a majority in Parliament;

- (ii) None of the political parties wins a majority in Parliament so that the President does not have a majority in Parliament;
 - (iii) An independent candidate who by definition does not command any support at all in Parliament wins the Presidency.
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- The absence of a ceiling on the number of Ministries that may be created and the number of Ministers that may be appointed by the President;
 - The coupling of the Office of the Attorney General with that of Minister of Justice (Article 88 (1));
 - Local level democratisation, decentralization, the nature of the local government system and decentralization reforms;
 - The absence of a cap on the number of Supreme Court Judges that may be appointed;
 - The panel system at the Supreme Court which does not allow all members of the Supreme Court to sit on all cases in order to ensure finality to litigation and consistency of precedence;
 - The duplication of functions between the Commission on Human Rights and Administrative Justice (CHRAJ) and the Serious Fraud Office (SFO) in their anti-corruption mandates and between the CHRAJ and both the National Commission for Civic Education (NCCE) and the Electoral Commission (EC) in their public education mandates;
 - Chiefs and traditional authorities and their role in the democratic order and the governance system;
 - The Transitional Provisions with particular reference to the indemnity provisions for past coup makers, their associates and collaborators.

3.1.2. Political Parties

In multiparty democracies, political parties perform key roles in the formation of governments, grooming leaders at national and sub-national levels and holding governments accountable among others. Yet, political parties are among the most neglected of the political institutions of state. They are made to operate as if they are purely private organisations with no state or national interest in their establishment, maintenance or extinction. Poorly established and poorly maintained political parties produce poor quality leadership, both at the party level and at the national level itself. It is for these reasons that any strategy to consolidate democ-

³ According to the 1992 Constitution, the person elected President can only serve for 2 terms

racy must include a strategy for nurturing and sustaining political parties and making sure that they are not just electoral machines for achieving electoral victories, but also function effectively as vehicles for public education, leadership training, national integration and skills acquisition during inter-election periods. At present, a party's ability to win political power appears to be the sole indicator of its success, to the extent that being out of government creates a problem for opposition parties.

3.1.3. Opposition Parties

In mature democracies, political parties are key pillars of good governance, the rule of law and the protection of human rights. However, the role of political parties in performing these functions especially in growing or developing democracies has been the subject of debate for many. This is because many believe that the adoption of a more competitive party system furthers democratization by providing the electorate with electoral alternatives. In competitive multi-party politics, the party that is elected to form the government seeks to enact into law a number of policies and programmes often times consistent with its election manifesto. Opposition parties are free to criticize the ruling party's policies, ideas and programmes and offer alternatives.

Ghanaian opposition parties are faced with a number of challenges. Key among these is the exploitation of incumbency by ruling parties. Another challenge is that, the founders of some political parties have developed such emotional attachment to the political parties that the development of internal democracy within such parties has become problematic.

Questions persist on the substance, quality and degree of participation by opposition parties in order to consolidate democratic governance. For a culture of democracy to take hold, opposition parties need to have the confidence that the political system will guarantee their right to organize, speak, dissent and/or criticize the party in power. Opposition parties also need to be assured that in due course, they will have a chance to campaign and re-seek the peoples' mandate in and through regular, free and fair elections.

One key outcome of the consultations is the impression that incumbent governments do not give their predecessor governments credit for work done during the tenure of the latter even in situations where such credit is obvious. The fallout of this is low political buy-in of policies of the incumbent government with the result that well-intentioned policies are at risk of being discarded in the event of a change of government.

It is suggested that, given the inability of any government to initiate and complete all its programmes, the cause of democracy will be better served where the works of predecessor governments are acknowledged and continued. This indeed would seem to be the spirit behind Article 35 (7) of the Constitution which states that: *"As far as practicable, a government shall continue and execute projects and programmes commenced by the previous Governments"*.

The smaller opposition parties were ambivalent about the future of their parties in Ghana's multi-party democracy. On the one hand, they felt that the system of "skirt and blouse voting" (voting for a Presidential candidate of one party and a Parliamentary candidate of another) would allow even parties that lose heavily in the Presidential elections to win some Parliamentary seats and enable them to play their swing role in elections.

The smaller parties were on the other hand afraid that "defeat fatigue" could easily make them electoral casualties as people want to see political parties they vote for emerge victorious one day. Once they see that there is no possibility of this ever happening, they may cease voting for the smaller parties and those parties are likely to die off.

This concern raises the whole issue of national interest in the funding of political parties on which a non-partisan national engagement is necessary.

Against this background, the preponderant view was that the state system must support at least the opposition parties with representation in Parliament in the area of financing for the sake of democracy, and that as democracy implied the existence of a vibrant opposition, incumbent Governments must nurture the opposition and make sure they survive.

3.1.4 The Electoral System

The electoral system has so far supported the alternation of governments across four major national elections and an equal number of district assembly and unit committee elections. All run in the face of several challenges which, if unresolved, can compromise the integrity of the entire electoral system and process.

The challenges include the following:

- The sustainability of the financing mechanism, given that the electoral process is about 40 per cent donor-dependent, making the EC vulnerable to manipulation;
- The dependence of the EC on the executive arm of state for financial support;
- The undefined roles of political office holders (especially Ministers, Deputy Ministers, Regional Ministers, Deputy Regional Ministers and District Chief Executives) and officials of political parties in the registration, campaign, election periods and processes respectively.
- The "monetisation" ("treating" in electoral parlance and "bribery and corruption" in criminal law parlance) of the electoral process, both at the party primaries and in national elections.
- The alleged "monetisation" of EC and other electoral officials during national elections.
- Ensuring a substantial increase in the current under-representation of women in the Legislature.

3.1.4.1 Polling Agents

Thus, with the exception of the polling agent who is the agent of the political party, all other officers associated with the electoral process are officials of the state or agencies of the state. The polling agent plays the most important role in the whole process. His vigilance or laxity can make or mar an entire election. Where a candidate or a political party is unable to properly recruit or pay an agent, he/she could compromise the integrity of the election by succumbing to corrupting influences.

There is anecdotal evidence of agents who have abandoned their positions in the course of the voting, or who have been paid to abandon their positions in order to allow for ballot boxes to be stuffed with already thumb-printed ballot papers, and of illiterate agents who can neither read nor write figures or words and are therefore completely useless as agents.

Stories are also told of agents who through ignorance or because they are paid, sign blank forms only for figures to be fabricated over their signatures, and of timorous agents who have been forced to flee from their positions. There are also situations in which well resourced political parties pay their polling agents ten times what other parties offer their agents per day; where some political parties provide decent daily meals while others struggle to provide a small sachet of water for the day. These create an uneven electoral playing field.

All of these identify the polling agent as the "Achilles Heel" of the electoral process. These provide a justification for putting political parties on state support to enable them recruit and effectively pay literate and competent polling agents. The creation of a Polling Agents Electoral Fund by which all Polling Agents are resourced equally could provide a solution to this problem.

3.1.4.2 Security on Election Day

The issue of security on Election Day is another critical matter for our electoral process. Even though security personnel deployed at the polling stations come under the operational command of their unit and service commanders, the fact remains that the District Chief Executive (DCE) and the Regional Minister are the Chairmen of the District Security Committee (DISEC) and the Regional Security Committee (REGSEC) respectively. In those capacities, they sometime issue commands and instructions, often of a political nature, to the District and Regional Security Commanders who usually obey them.

The DCEs and the Regional Ministers are however, representatives of the Central Government in the districts and the regions and ought to be neutral and objective in the instructions that they give. It is therefore important to define any roles Regional Ministers and DCEs play in the electoral process, and this ought to be confirmed either by legislation or by the electoral regulations.

3.1.4.3. Election Petitions

The handling of election petitions has proved to be one of the most problematic challenges to free and fair elections. Under the current system, election petitions are lodged with the High Courts. Once lodged, however, the handling process becomes largely discretionary.

For example, for the 2004 elections, a petition against the winning candidate in the Mion constituency was disposed of within one year with the court ruling against the winner who subsequently appealed and had the decision reversed in his favour. A similar petition filed against the winning candidate for the Offinso North constituency however is yet to be assigned to a judge.

In earlier elections, petitions filed against winning candidates for the Ajumako-Enyan-Esiam and Ayawaso-West Wuogon constituencies were decided after the Parliaments to which they were elected had served their term, that is, after four years.

Apart from lack of uniformity and consistency in dealing with election petitions, there is also as stated earlier inordinate delay, which sometimes results in Pyrrhic victories for the petitioners because by the time they secure their victories, the term of the Parliament would have lapsed.

It would appear therefore that there is a case for the establishment of one central ad hoc "Election Petitions Tribunal" after every Presidential and Parliamentary election. Such a Tribunal may be permitted to sit for a maximum duration of two years after the elections within which period it should have disposed of all pending election petitions. It should also be charged to apply uniform rules and to be fair, neutral and objective. Support and adequate human, logistical and financial resources for the establishment of such a Tribunal will help consolidate democracy.

3.1.4.4. Enfranchising Ghanaians in the Diaspora

The Representation of the People (Amendment) Act (ROPAA), 2006, Act 669, provides for the registration of Ghanaian citizens abroad at their places of abode to

enable them vote in public elections and referenda at those places. This is in furtherance of Article 42 of the Constitution which states that "*every citizen of Ghana of 18 years or above and of sound mind has the right to vote and is entitled to be registered as a voter for the purposes of public elections and referenda*".

The ROPAA had a very difficult passage through Parliament. The Act will not be implemented for the 2008 elections.

3.2 The Arms of Government

3.2.1 The Executive

A number of social and political forces which operate in different forms on the executive in many countries, but notably in the developing world, are becoming discernible in Ghana. These are centralizing forces which operate to upset the balance of power between the executive and the legislature and in favour of the former. Among such forces are:

- The endless calls on the President by opinion leaders for improved social services and political benefits in their communities;
- Increased political mobilisation during elections and the consequent demands by voters for better health care, education and jobs, expensive services which only a central government can provide;
- Executive power to conduct foreign affairs;
- Great executive influence over the mass media; and
- The inclusion of the Directive Principles of State Policy in the Constitution which has heightened the expectations of the people of their government.

The consultations also brought out the following pertinent issues of concern about the Executive:

ISSUES

- The attitude of the executive in all the four governments in the Fourth Republic that appears to have approached governance from the perspec-

tive that "the opposition can have its say but the government will have its way" deepens the polarization in the country. It is necessary for Governments to listen to the opposition and sometimes take on board some of their views;

- The President's powers of appointment under the Constitution and the Presidential Office Act, 1993, Act 463, which literally allow the President to set up his own bureaucracy, weaken the checks on his powers of appointment;
- Individuals and institutions which are required to act as countervailing checks on the Presidency such as Parliament, and the CHRAJ must be further strengthened to effectively perform their with roles;
- The Vice President elected as an integral party member and a stand-in President should either resign or be dismissed from office if he breaks rank with the President;
- The perception of the Executive's interference with the Judiciary is very strong given the powers that the Constitution grants the President in the appointment of judges and in approving financial resources for the Judiciary;
- New Ministers and other political appointees who have no security clearance and are usually untested in the art of governance and who therefore need to be screened before being appointed and given orientation courses after appointment;
- There should be a Minister from each region of Ghana in order to help build a homogenous identity for the country through the principle of inclusivity and in order to formalise the informal competing regional demands and interests on the Presidency;
- The position of Minister of Parliamentary Affairs is constitutionally anomalous because it amounts to executive oversight of the legislature, which is inconsistent with the Constitution's commitment to a system of checks and balances in governance.
- The position of Special Assistants to Ministers is a duplication of the position of Deputy Minister and of doubtful constitutionality. Special Assistants would not at all be necessary if Presidential appointment of Deputy Ministers were made in consultation with the Ministers as required under Article 79 (1) of the Constitution.

3.2.2. Parliament

Parliament has been performing its functions as a debating chamber where the policies of the government, on the whole, are scrutinized, and through oversight committees, in putting the searchlight on malfeasance in the civil and public services. In these ways, it is acquiring value and stability as a political institution. The major political forces of the country, the ruling party and the opposition parties, are seriously engaged both in Parliament and the media in peaceful democratic dialogue. This development is accompanied by a growing public consciousness that this is the legitimate way to do politics in a democracy.

What has become evident though, since the coming into force of the Constitution in 1992 as the most salient feature of the constitutional and political system is the executive dominance of the other branches of government particularly the legislature. This weakness manifests itself in a variety of ways.

The first source of weakness is structural. The legislative power of Ghana is vested in Members of Parliament (MPs). They are, however, prohibited by Article 108 (a) and (b) of the Constitution from proceeding on any bill and its amendment involving the imposition or alteration of taxation; the imposition and alteration of any charge on the Consolidated Fund; the composition or remission of any debt due to the government, or proceed upon any motion of any kind which has financial implications unless such is introduced by or on behalf of the President. Whether a motion has financial implications or not depends on the interpretation of the Speaker of the House.

The Speaker, in our parliamentary tradition, is a member of the ruling party. The President has a great deal of influence in his appointment.

Secondly, the President also has a great deal of influence in the appointment of the majority leader whether he is elected by his party colleagues in Parliament (as in the case of the National Democratic Congress) or by the National Executive of the party (as in the case of the New Patriotic Party). As Minister of Parliamentary Affairs, the majority leader is also a member of Cabinet.

Majority of those interviewed in all the regions argued, inter alia, that the appointment of the majority of Ministers of State from Parliament is a source of the weakness of the legislature, one of the underlying reasons being that such Ministers have little or no time to do their work as MPs. This is not a convincing argument for it evinces a lack of familiarity with Ghana's constitutional history, short as it is, as well as of executive/parliament relations in Africa and in parts of the Commonwealth in which heads of government and all Cabinet members are also MPs. None of those we consulted was able to produce even a shred of evidence that Ministers who were members of the two branches of government performed less efficiently as Ministers or Parliamentarians.

Another argument also advanced was that membership of the two branches of government violates the constitutional principle of separation of powers, a violation that, in turn, creates unfavourable conditions for the consolidation of democracy. This view is rooted in a misreading of Montesquieu who developed this theory out of his understanding of the British system of government. There was no separation of powers either in terms of membership or function in Britain, then or now. Montesquieu's main interest was in checks and balances; the extent to which, in the exercise of the three main functions of the state, each organ served as a check on the other.

Perhaps the most convincing argument was the one that stated that MPs from the Government party, desirous of being appointed Ministers are docile and reluctant to criticise the Government and this detracted from the quality of Parliament's oversight responsibility on the performance of the Government.

In examining the exercise of the functions of the state, the focus of analysis should shift from a doctrinaire scrutiny of how the core functions of the state are separately exercised by each branch of government, to a focus on the "checks and balances" in the political system. From such evidence that we have, since the coming into force of the 1992 Constitution in January 1993, the balance of power in the state has tilted far too heavily in favour of the executive. The legislature still however, has room in which it can manoeuvre and act as a check on the executive. It has debated government policies fearlessly and sought to find ways, unsuccessfully though, to exercise control over government expenditure.

All the same, Members of Parliament have to be a bit more assertive in creating more space in which they can keep an eye on government activities. They can do this in two main ways:

Firstly, the use of the rules and procedures of the House more effectively and secondly, by the strengthening of their ties with their constituents. The latter can be achieved by meeting them more often in well-publicised designated places in their constituencies.

There are three essential pre-requisites to Parliament's assertiveness:

- Parliament should embark on capacity building. The Parliamentary Service, as a matter of priority, ought to be revitalised. A good secretarial service should be established by recruiting competent and efficient secretaries, typists, computer and data personnel;
- Thirdly, Parliament should improve its technical capabilities.
- MPs should have offices equipped with modern office technology: computers, laser printers, internet and e-mail services and office supplies;
- MPs ought to have Parliamentary aides and assistants.

A legal and legislative drafting department, staffed with well-trained Parliamentary Draftsmen, should be established as well as a first-class library to enhance the intellectual resources available to MPs.

Article 108 on the limitations on the financial powers of Parliament should be reviewed in any future review of the Constitution.

It is encouraging to note that MPs are gradually developing the skills and attitudes for handling the conflicts and problems of democratic politics. To the extent that this is the case, a democratic culture is slowly developing in Ghana. It will take a while though for the legislature to become fully institutionalised, but it is evolving in a democratic direction.

3.2.3 The Judiciary

The Committee of Experts (Constitution), hereinafter called the Committee of Experts, whose proposals eventually got transformed into the 1992 Constitution, required the following features of an independent Judiciary:

- An unequivocal prohibition of executive interference with the judicial process;
- The courts should be sensitive and impartial arbiters;
- The Judiciary should decide matters before them impartially;
- The Judiciary should be insulated from all subtle forms of executive pressure or influence;
- The Judiciary should be assured full financial and administrative autonomy;
- Judges should enjoy security of tenure;
- Judges should adhere to the highest standards of personal and professional integrity;
- The conditions of service for the Judiciary should be conducive to the dignity and integrity of judges.

Simply put, judicial independence connotes judicial neutrality, objectivity, competence, dignity, integrity and incorruptibility. Understandably, therefore, judicial independence and how to secure and maintain it has concentrated attention on judges, and especially Justices of the Superior Courts of Judicature. There are therefore many reform programmes in the system designed to transform the system of adjudication and deal with its endemic problems such as adjournments and delays.

Our consultations reveal that there is public discomfort with aspects of the constitutional framework for the operation of the Judiciary and the dispensation of justice. The highlights of the discomfort centre on the following:

- There must be an upper limit to the number of Supreme Court Judges who may be appointed;
- The panel system at the Supreme Court could be subject to abuse and manipulation. A fixed number of Supreme Court Justices with all of

- them sitting on all cases as in the US system is preferable;
- The Chief Justice is over-burdened with judicial, administrative and operational responsibilities. There should be two Deputy Chief Justices responsible for the Superior and Inferior Courts respectively;
 - The Executive must respect judicial decisions and learn to make good the error of its ways, especially when it loses cases in civil litigation;
 - The Tribunal system is as good as dead and may as well be scrapped, as the Regional Tribunals exist in name only.
 - A public perception of a Judiciary that is pro-Executive probably based on the survival instinct that the institution has developed over the years as the only one of the arms of government to have been spared in the country's post-independence history of constitutional discontinuities.

The financing of the Judiciary also came under scrutiny. Three main concerns on the subject were raised as follows:

- The conditions of service of the Judiciary and the Judicial Service must be improved;
- It is unconstitutional for the Executive to review the Budget of the Judiciary before disbursement as is currently the practice;
- Obsolete equipment (eg manual typewriters) and decayed facilities (eg broken down vehicles) compromise the Judicial Service staff who therefore have to depend on other institutions or private litigants and their counsels for support, thus delaying processes and fuelling corruption and the perception of corruption in the Judicial Service.

Within the overall framework of the Legal and Judicial Sector Reform Project initiated as part of the World Bank funded Private Sector Development Programme in 1999, the major reform programmes and projects within the Judiciary have covered the following areas:

- Automation of the High Courts (World Bank);
- Proposed automation of the Circuit Courts (unfunded);
- Transformation Plan for the Judicial Service (UNDP);
- Alternative Dispute Resolution (ADR) (unfunded);
- Magistrates' Courts Reform Programme (DANIDA);

- Electronic Library System (World Bank, AfDB, UNDP);
- Website and E-Mail Address system;
- Improvement of Infrastructure Facilities;
- Establishment of Commercial Court (Government of Denmark);
- Upgrading of the Judicial Service Training School to Judicial Training Institute (unfunded);
- Human Resource Development (Government of Japan, UNDP).

Two other areas of the justice system which impact directly on the poor and the ordinary Ghanaian need attention. These are:

- Education for Para-Legal staff; and
- Legal Aid.

3.2.3.1 Education for Para-legal staff

To the vast majority of citizens, their perception and appreciation of the law and justice and its relevance to their lives is not shaped by what the Superior Court Justices do or say but by what the inferior court judge, magistrate, policeman, commissioner for oaths, bailiff, court registrar or letter does or says. Indeed by what the myriad of officials who perform "law jobs" do or say.

Judges and lawyers already have programmes on "Continuing Legal Education". But who educates, or continues the education of the policeman on the beat; the bailiffs and court clerks who serve processes and service the courts and the para-legal staff in the Judicial Service and in lawyers' chambers? These are specific areas of need for capacity-building that ought to be looked at.

Concerning Para-legal staff, it would appear that there is no institution in the country responsible for their formal training. In particular, there is presently no formal training scheme for the Para-legal staff of the Judicial Service and they have to learn everything "on the job". It is possible for an institution like GIMPA or the proposed Judicial Training Institute or any of the Faculties or Departments of Law of the Universities to take up the subjects of "Legal and Ethical Training for Para-Legal Staff" and "Continuing Education for Para-Legal Staff", but such an initiative will require sponsorship.

3.2.3.2 Legal Aid

Legal Aid represents another area where judicial independence does not directly impact on the life of the ordinary Ghanaian. Introduced under the Legal Aid Scheme Law, 1987, PNDCL 84 and currently regulated by the Legal Aid Scheme Act, 1997, Act 542, the Scheme has never really attracted the interest of practising lawyers largely on account of its under-funding. Our consultations revealed deficiencies in the Legal Aid Scheme which, if remedied, would enable the Scheme realise its objective of making the Judiciary accessible to the poor by making litigation free for them or at least affordable.

The major deficiencies identified with the Legal Aid Scheme were the following:

- A general lack of access to the courts by the poor and a dearth of knowledge of the law among the citizenry. Legal Aid resources must be expended on outreach programmes on law and legal knowledge. It is, for example, critical to assist the indigent, particularly poor women, to enforce their rights under legislation such as the Intestate Succession Law, 1984, PNDCL 111;
- Unfortunately, the Legal Aid Scheme is being starved to extinction by the paucity of financial support;
- The Scheme is over-centralized and this delays payments to lawyers who take Legal Aid cases. Coupled with the meagreness of the fees themselves, there is little or no motivation for lawyers to participate in the Scheme;
- Publicity on the Legal Aid Scheme is very poor if not non-existent.

The above observations are confirmed both by the Growth and Poverty Reduction Strategy (GPRS II, 2006-2009) and the African Peer Review Mechanism (APRM) Country Report on Ghana dated June 2005.

The GPRS II states as follows:

- The major difficulties associated with the administration of justice in Ghana can be categorised into two, namely judicial and attitudinal. Those that can be traced to the judiciary include delays and costs in

administration of justice resulting in lack of confidence in the judiciary, and inaccessibility of justice and legal institutions. Key attitudinal issues relate to poor compliance with rules, regulations and procedures and weak enforcement of existing rules, regulations and procedures".

On its part, the APRM Country Report states as follows:

- Although the rule of law is a reality in Ghana, some sections of the populace are routinely denied access to justice because they cannot afford legal representation. Due to a variety of factors, notably poverty, the judicial system of Ghana is inaccessible to the majority of the population. This is most evident among capital as well as criminal offenders, who generally come from the poverty ranks. The high cost of justice in Ghana is serious cause for concern".

The case for an affordable Legal Aid Scheme in Ghana and the intervention of a project like the DCSP could not have been better put.

3.2.3.3 The Attorney General and the Independent Prosecutor

The issue of the Attorney General and the Independent Prosecutor came up mainly during the discussion on the Judiciary. The major concern was that the Office of the Attorney General should be separated from that of the Ministry of Justice. Probed further, the underlying basis for the call and the accompanying proposal for the appointment of an Independent Prosecutor turned out to be the following:

- The real or apparent refusal/failure of the Attorneys General of the Third and Fourth Governments of the Fourth Republic to investigate and/or prosecute any appointee of the Government who is a member of the ruling party. The call for the separation of the offices of the Attorney General and Independent Prosecutor is especially strident when it comes to the exercise of prosecutorial discretion. If the Attorney General would be seen to be less partisan, the call and demand would die down;
- It is difficult for a political Attorney General to agree to prosecute his or her colleague Ministers as it raises serious conflict of interest issues especially when he himself may have taken part in some of the decisions

- which would lead to the prosecutions in the first place;
- The immediate cause of the demand is what is perceived to be a selective application of the law on "wilfully causing financial loss to the state";
 - The law on "wilfully causing financial loss to the state" may have to be reviewed, and in particular where a risk has been taken in good faith with no intent to benefit the risk-taker and loss is incurred, the public official involved should not be prosecuted otherwise initiative in the public service will be stifled and morale will be dampened.

3.3 Decentralization

Decentralized governance has been identified as an essential precondition for successfully executing plans and programmes for poverty alleviation. Genuine participatory governance at the local level yields benefits in terms of both efficiency and equity by giving the people a sense of ownership, by allocating resources according to people's preferences and by utilizing their skills and knowledge. Improving economic security of the poor is a necessary condition for their participation in democratic governance.

Ghana since 1988 has moved towards decentralization and has committed a lot of resources towards achieving effective decentralisation. The post-independence local government system suffered from a number of problems which derived primarily from the dual hierarchy model of administration inherited as a colonial legacy.

First, central government agencies encroached on the rights and responsibilities of the weaker local government bodies because of unclear definitions of areas of responsibility. Consequently, resources were wasted due to these function overlaps. Second, there was hardly any consultation between the central and local government agencies even in cases of similar responsibilities. Third, the system did not facilitate popular participation and finally the inability of the local government bodies to raise enough revenue to finance the delivery of services.

In its Report, the Committee of Experts identified the following as the failures of previous local government systems:

- Low development capacity of local government areas, not unrelated to size and a weak revenue and resource base;
- Poor financial administration and corruption;
- Lack of technical expertise;

- Inexperience and poor calibre of local government personnel, attributable in part to low prestige attached to, and poor remuneration for service at the local level;
- Unclear definition of functions as between central government agencies and local authorities;
- Intrusion of partisan politics into local government, with a view primarily to winning political advantage for the incumbent regime; and
- Juggling with local government boundaries on account of differing conceptions of the relation between size and efficiency, local pressures - particularly from chiefs - and considerations of political advantage; with the result that the number of local government areas in the country has varied from a high of 282 to a low of 50.

Against this background, the Committee of Experts opted for a decentralized form of local government but warned that its effect would depend on its conception, organization and execution. Thus, decentralization may:

- Devolve actual power to local authorities; or
- Accentuate central government control by enabling it tighten its grip on local authorities.

Throughout the consultations, it became evident that decentralization was achieving the second of the two effects that the Committee of Experts had warned against. In composition and mode of functioning, the DA, as the highest political authority in the district with deliberative, legislative and executive powers, has features which do not seem to advance the cause of democracy in local communities.

Firstly, competitive party politics is banned in DA elections.

Secondly, apart from the elected members of the DA and MPs from the area of

authority of the DA, 30 per cent of the members are appointed by the President in consultation with the traditional authorities and other interest groups in the district. It was apparent from our regional consultations that this requirement is kept more in the breach than in the observance, for in practice, the chiefs and other interest groups are rarely consulted.

Finally, the unelected DCE, a Presidential appointee, is not only the Chairman of the Executive Committee of the DA but is also responsible for the executive and administrative functions of the DA.

This form which the local government system has taken has been a historical impediment to decentralization and democratisation since the coming into force of the 1992 Constitution. Two contradictory processes have been at work in the past fifteen years: de-politicisation owing to the non-partisan nature of DA elections on the one hand; and on the other hand, through the DCE and the power of nomination of 30 per cent of the membership of the DA, Presidential exertion of tight, central and political control on the local government system in general and the DAs in particular.

To make the system of local government genuinely decentralized and democratic, the following recommendations were made:

- The existing DA structure be endorsed as a basis for a decentralized system of local government;
- Candidates seeking election to the DA system should continue to present themselves to the electorate as individuals in non-partisan elections to prevent the ethnicization of local politics, particularly in multi-ethnic communities amalgamated into single districts;
- The DCE should still be appointed by the President with the prior approval of the DA as his representative at the district level, but he should not continue as the Chairman of the Executive Committee of the DA. He should be an ex-officio member only;
- The Presiding Member (PM), elected directly by the DA, should become the Chairman of the Executive Committee and also be given such powers as will enable him or her to play a more central role in the affairs of the DA;
- The President should not be given the power to nominate 30 per cent of

the members of the DA. Instead, that power should be reserved for the chiefs or their nominees and women.

- The deduction of ten per cent of the District Assemblies' Common Fund for the use of the Central Government and Members of Parliament is an unwelcome intrusion into the otherwise fairly secure financial base of the Assemblies;
- The issuance of annual "Guidelines for the Utilisation of the District Assemblies Common Fund" by the Central Government is another unwelcome intrusion into the local level autonomy of the District Assemblies, disabling them from utilising resources that constitutionally belongs to them on priorities that they would have determined for their people.

Several other issues were identified with the Decentralisation Programme that need addressing. These are raised in the sections that follow.

3.3.1 Political Decentralisation

The team's consultations revealed deep-seated conflict between District Chief Executives and Members of Parliament, triggered by the following factors:

- The MP's membership of the District Assembly (DA) which creates the impression that he is an agent of local development instead of a national legislator;
- The lack of security of tenure for the DCE (he may lose his position through dismissal by the President or through a vote of no confidence passed in him by the DA). Under the present arrangement, DCEs are tempted to make as much money as possible in case they are removed from office;
- The ambition of the DCE to unseat the MP where they are from the same party, or undermine him/her where they belong to different parties;
- The DCE's control of state and district resources which makes him financially and politically more powerful and influential than the MP;
- The reluctance and/or outright refusal of DCEs to release resources to enable MPs fulfil electoral promises which in turn creates credibility problems for the MPs;
- Some DCEs with intentions to contest in Parliamentary elections are on

record to deliberately make it difficult for the opposition MPs to access their share of the Common Fund for fear that the ensuing projects will inure to the benefit of the opposition party;

- Under the Public Procurement Act, 2003, Act 663, DCEs are held accountable for expenditure on goods and services, but getting MPs to account for the utilisation of their share of the District Assemblies' Common Fund (DACF) is problematic. Some MPs even collect their share of the DACF from the District Assemblies' Common Fund Administrator (DACFA) without the knowledge of the DCEs;
- Some MPs do not want to recognise the status of the DCE as the representative of the President in the district while the DCEs have the belief that as such representatives, they are higher in status than the MP since the President is higher in status than the MP.

The following issues were also raised under the subject of political decentralization:

- The tendency towards re-centralization by the Government both in terms of its practices and legislation that it sponsors;
- The regional level of the decentralization system with a Regional Coordinating Council (RCC) that is not elected, that has no legislative powers and that has no powers of taxation makes it a very weak level and therefore makes its functions of coordination and harmonisation very difficult;
- Dissatisfaction with the thirty per cent appointed membership on account of the lack of consultation in their appointment as required by the Constitution as well as the extreme partisanship of the persons appointed;
- Creeping ethnicisation of the District Assemblies which therefore argues for a system of proportional representation instead of the "first-past-the-post" system;
- Emphasis should be placed on the principle of subsidiarity and therefore the role of the sub-district structures should be stressed;
- The general ignorance of the people about the local government and decentralization system which makes it impossible for the populace to make demands of the system.

3.3.2. Administrative Decentralization

There is still bureaucratic resistance to decentralization, resulting in reluctance on the part of the decentralized departments to be responsible and accountable to the DAs. The Local Government Service Act, 2003, Act 656, has complicated administrative decentralization within the local government system. Education, Health, Forestry, Wildlife and the Fire Service have all been taken off the list of decentralized departments, but the Act is silent on the merged and amalgamated departments of the DAs established in the Local Government Act, 1993, Act 462. This has created an anomalous situation in which certain sector departments are to exist at the district level without the involvement of their national level Ministries, Departments and Agencies (MDAs).

There are also still some administrative functions that can be transferred to the district level such as company registration, vehicle licensing and passport processing. All of these must be undertaken within the framework of a comprehensive review of the administrative decentralization component of the decentralization programme.

3.3.3 Decentralized Planning

The decentralized planning component of the Decentralization programme seeks to restructure the DAs and decentralize decision-making authority and involve the sub-district structures and the people in the development planning process. The National Development Planning (System) Act, 1994, Act 480, is the major legal instrument to be used to achieve that objective. The District Planning Office, the District Planning Coordinating Unit (DPCU) and the Regional Planning Coordinating Unit (RPCU) are the technical structures to facilitate the process. District Plans, evolved from programmes and priorities of the sub-district structures and the communities are put together by the DPCU and given political approval by the DAs. The 166 District Plans are then politically coordinated by the 10 RPCUs. The NDPC harmonises these and the sector plans into the draft National Plan which is then given political approval by the Cabinet.

The major outstanding problems of decentralized planning are the lack of District Planning Officers in some of the districts, the inability of the planning cycle to

keep pace with the budget cycle and therefore the inability of the National Budget to be a true reflection of the National Development Plan as evolved.

3.3.4. Fiscal Decentralization

Political and administrative decentralization will not work if local governments are unable to pay for services. Both administrative and fiscal decentralization are essential, and should reflect the district plans evolving from the decentralized planning system. Unfortunately, delayed release or non-release of the decentralized resources result in the delayed implementation or non-implementation of the district plans. The country's fiscal framework should ensure that local governments have available the fiscal resources to meet their delivery mandates. This has two major dimensions: revenue generation and revenue sharing.

In Ghana, revenue generated by District Assemblies lags behind that of the central government, and is possibly an unintended consequence of the introduction of the DACF. The basic rate should be adjusted upwards to a more economically reasonable level. The situation of the DAs' internally generated funds today perpetuates their dependence on central government for fiscal decisions.

The Public Procurement Act, 2003, Act 663, is another important instrument of fiscal decentralization and for ensuring transparency and competition. In some, DAs the procurement process is cumbersome to operate and sometimes causes delays. Other problems identified with Act 663 are:

- The non-involvement of the DAs in the procurement process;
- The fact that permission for sole-sourcing has to be sought from the Public Procurement Board in Accra;
- Some of the skills required on the District Tender Committee and the District Tender Review Board are non-existent at the district level;
- On a cost-benefit analysis basis, the mandatory procurement advertisements for many of the DAs are a loss.

3.3.5 Other Decentralization Issues

Other outstanding issues of decentralization that emerged out of the consultations included the following:

Regional Level

- The clear definition of the roles and responsibilities of the Regional Minister vis-à-vis the DCEs.
- The regional level must be made financially autonomous of Central Government by having a separate budget line in the national budget;
- MPs should not be appointed Regional Ministers or Deputy Regional Ministers where geographical distances prevent them from effectively performing their roles.
- Regional departmental responsibility to the RCCs as well as a Regional Composite Budget must be introduced into decentralization at the regional level;
- DAs should inform RCCs about taxes they have imposed or intend to impose; bye-laws they have passed or intend to pass; and infrastructure projects they have undertaken or intend to undertake.

District Level

- DCEs should undergo training at recognised institutions such as the Ghana Institute of Management and Public Administration (GIMPA) or the Institute for Local Government Studies (ILGS) before assuming office;
- There is the need for Assembly members to be remunerated;
- The 30% appointed membership of the DAs should be vested in chiefs and traditional authorities.

There is need for publicity to be given to bye-laws passed by the DAs for ease of enforcement.

Sub-District Level

The sub-district structures have not functioned effectively due to a number of constraints, prominent among which are the size and numbers of the structures. The Sub-Metropolitan District Councils have recently been increased from 13 to 31 and Legislative Instruments were passed in 2004 to change their composition and to add some executive functions to their administrative functions in the Accra, Kumasi and Shama-Ahanta East Metropolitan Assemblies. These L.I.s do not affect the newly created Tamale Metropolitan Assembly. The result therefore is that Tamale has a Sub-Metropolitan District Council level which is different from the other three Metropolitan Assemblies. The L.I.s in this regard ought to be reviewed.

There are about 16,000 Unit Committees across the country each with a membership of 15. There are suggestions to reduce the number of Unit Committees to 5,000 and membership of a Unit Committee to 7 people.

It is also important that the sub-district structures, comprising the Sub-Metropolitan District Councils (in the Metropolitan Assemblies), the Urban, Town, Zonal (in the Municipal Assemblies) and Area Councils and the Unit Committees are allowed to perform the functions delegated to them. This is because a well-informed and participatory grassroots is an integral part of a vibrant democratic culture. It reinforces the principle of subsidiarity and solidarity with all stakeholders. This is especially so if the transfer and mobilisation of resources to those levels are concretised and the necessary regulatory framework streamlined to lay the foundation for the institutionalisation of good governance. Indeed the sub-structures provide the best platform to groom future leaders as they would be involved in governance at an early stage.

3.4 Issues of Good Governance in Ghana

It has become increasingly clear that governments all over the world are unable to conduct and effectively formulate and implement policies without some element of citizen participation. This has triggered a trend towards inclusive or participatory governance. Governance typically represents the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It

allows citizens as well as institutions, the opportunity to support government policymaking. This also implies a role for governments in helping citizens to better understand their work. The idea of governance has a lot to do with how decisions are made and how resources are used. It is a set of processes and structures of public decision-making on mobilization and use of public resources for the public good.

A key element is that of accountability. The traditional accountability element in democracy has been the electoral process. Citizens elect representatives and then supposedly hold them accountable for their behaviour at the following elections. The representatives in turn appoint and hold bureaucrats and the members of the judiciary accountable for the discharge of their respective mandates. This approach is expected to promote good governance and the rule of law since the jobs of all the public officials ultimately depend on popular vote.

The evidence suggests that periodic elections in themselves do not guarantee good government and the rule of law for a number of reasons. First, there is no information parity between elected officials and the electorate and between bureaucrats and the elected officials. Poor information flow between citizens, elected representatives and bureaucrats inhibits processes of accountability.

Second, the problem with elections as accountability mechanisms is that they operate *ex-post*. Exclusive reliance on elections effectively 'alienates' popular voice since citizens virtually cede authority entirely during the periods between elections.

A third point is the fact that elections promote 'external' accountability; citizens operate from 'outside' government. Citizens send their representatives to the seat of government and do not participate themselves in government. Under formal representative democracy, citizens do not have any concrete authority over government.

A final problem with elections is that there is not always more than one viable candidate running for a particular position. Such situations significantly diminish the extent to which elected officials are obliged to inform and hold themselves accountable to their constituents.

In the consultations, civil society organisations (CSOs) came out boldly to articulate some of their concerns which are detailed out in the section on "Civil Societies and Democratic Consolidation".

Other issues in the practice of good governance include the following;

- National policy making is not participatory. Government monopolises decision-making to the exclusion of others;
- Discontinuity of policies of previous governments;
- Democratic intolerance - both government and opposition parties exhibit low tolerance for different political positions;
- Disregard of legislative procedures for public procurement leading to high levels of misuse or abuse of public resources;
- Weak commitment to fiscal decentralization.

3.5 The Anti-Corruption Agenda

Legislation against corruption and the establishment of anti-corruption agencies of state are important tools in the fight against corruption. The real fight against corruption is waged by ensuring that the anti-corruption laws are obeyed and that those who violate them are punished. Independent anti-corruption investigative and prosecutorial agencies are very useful for this purpose, and this would argue for a strengthening of Ghana's anti-corruption agencies such as the CHRAJ, the SFO and the Audit Service.

The Audit Service especially is a critical anti-corruption agency and if it is appropriately resourced could play a leading role in the fight against corruption in the public service. It is essential that it is kept totally de-politicised, non-partisan and the necessary education carried out to minimise the unacceptable sidelining of this all-important agency.

In the consultations, the following pertinent points were made about what should be the concerns of the national anti-corruption agenda:

- The introduction of money into political party primary elections, national general elections and politics in general is a danger to democracy con-

solidation. However, it is noted that sometimes it is the cultural demands of the Ghanaian society and the expectations that the people have of political aspirants and public officials and office holders that lead to the temptation to be corrupt;

- Politics is seen as a short-cut to wealth, whether rightly or wrongly, and therefore provides the incentive for people to demand to have their palms greased, which is nothing but disguised corruption;
- Party corruption is caused by corrupt party executives and activists who mobilise resources in the name of the parties and misappropriate them or fail or refuse to account for them;
- There must be periodic social auditing of programmes and projects to assess their cost-effectiveness and do value-for work assessment in order to hold leaders, contractors and suppliers accountable;
- Civic and public education can help win the war against corruption;
- Key national figures should speak against corruption whenever they have the opportunity.

3.6 Non-State Institutions

3.6.1 The Media

The free and liberal media provisions of the 1992 Constitution constitute a response to a long period of governmental media control. The media scene has changed dramatically since 1992: changes rooted in the privatisation or deregulation of the press and the liberalisation of the air waves. The Ghana Broadcasting Corporation is however still a Government-owned monopoly, as are the Graphic Communications Group and the New Times Corporation. Perhaps the most significant change has been the emergence of the private FM radio stations since 1994-95. The independent radio stations broadcast in the main Ghanaian languages and are to be found in all the regions of the country and have popular phone-in features. Unquestionably, these radio stations (including community radios in the rural areas) have democratised access to the media and enormously expanded the democratic space in Ghana.

Two main characteristics of the contemporary press were identified.

First, the media is free, independent and vibrant.

Secondly, journalists feel free in doing their work, and do so with growing confidence.

Two developments in the Fourth Republic have made this possible: the repeal of the Newspaper Licensing Law, 1988, PNDCL 211, which removed the need for a ministerial fiat before publishing a newspaper, and the enactment of the Criminal Code (Repeal of Criminal Libel and Seditious Laws) (Amendment) Act, 2001, Act 602, which repealed the criminal libel and sedition laws.

The media industry, as a whole, is keeping a close eye on the uses and abuses of power by the ruling party, the opposition and the administration. There has been some improvement in the quality of reporting, particularly in the state-owned and state-financed newspapers, and there is media pluralism. By far, the most discernible trend is the proliferation of FM radio stations and newspapers of all kinds. This has helped to multiply the sources of information and helped as well to enhance the freedom of choice of individual Ghanaians as they make their minds about the truth of what is going on in their country.

The media industry however, faces huge challenges. In quest of increasing their viewer/readership, the Ghanaian media have resorted to the use of strategies of political bias and ideology; sensationalism and drama; exaggeration and manufacture of news; opinionated news and satire; and succumbing to the allure of power and access to it.

As a result of this situation, there have been serious communication failures. The media, have failed to shed any light on the standards of education and environmental degradation beyond what they report from conferences, workshops and official communiqués. Hardly any media organisation published scientific polls in the 2004 Presidential campaigns and discussions on the economy, business and finance are inadequate.

In the regional consultations, there was no doubt that among media practitioners themselves, the issue of a creeping "media dictatorship" or "media tyranny" was of worrying concern. The public was also of the view that media freedom and

independence, especially with the repeal of the criminal libel law, was being taken to excesses. Another concern was the absence of a Broadcasting Law to regulate private broadcasting particularly.

Rectification of these limitations of the media industry will not be an easy task. A significant number of those interviewed demanded constitutional amendment aimed at curbing such media excesses as abuse of press freedom and the improvement of professional standards. Such an approach, it is likely, will result in the creation of more problems.

There is, first, the problem of defining who a journalist is. Senior officers of the National Media Commission (NMC), Ghana Journalists Association (GJA) and editors, found it difficult to define the term. We were told that UNESCO finds it equally difficult to come up with clear criteria for distinguishing journalists from others who are engaged in writing and information gathering and dissemination. It would appear that journalism can be defined only in terms of a code of ethics.

Secondly, journalism is related to education, and in most countries, every individual has a right to be provided with education. Also, journalism is an aspect of the larger issue of the right to self-expression. For those reasons, to try to control the media in the interest of public morality and decency will most probably result in the violation of people's human rights and the emasculation of the press.

RECOMMENDATIONS

The Ghanaian media played a central role in the return to constitutional, representative democracy, and it is right now struggling to consolidate it. The beginning of the struggle has been promising, but there is as yet no full-blown media industry with clear rules, ethical codes and strong traditions of service and professionalism. It has not reached its potential yet. To help it get to that point, a number of practical reforms in three related areas are needed:

- Capacity building;
- Improvement in service conditions and;
- Education.

Firstly, media houses, including the well-established ones, need to be strengthened to become better equipped. They need important resources to improve their technical capabilities: machines, computers, printers, audio-visu- als, etc. In addition, highly skilled technicians, proof-readers, typesetters, machinists, etc. must be recruited by media owners. Training them on the job is inadequate, and must follow their training, in the first place, in technical schools.

Secondly, the pay, pensions and other conditions of service must be improved in the short- and near-term for the industry to attract and retain well-educated and talented journalists.

Finally, the media should seriously begin to think through the education of those recruited into the profession. Two major schools of journalism in the country are the Ghana Institute of Journalism and the School of Communication Studies at the University of Ghana, Legon.

The Ghana Institute of Journalism (GIJ) was established at the time of Ghana's independence to train journalists for the media. An international journalism school attracting students from all parts of Africa. The minimum qualification for admission into the school is secondary school education. After a two-year training period, the students are awarded a diploma in journalism. Most journalists are recruited from this school. It is proposed that the school should now admit University graduates with arts, social sciences and law degrees and give them a two-year or one-year practical training in journalism.

The School of Communication Studies at the University of Ghana, Legon, offers courses for a two-year Master's degree. The minimum qualification here is a bachelor's degree. This is the main reason for the proposal that a reorganized GIJ should admit as students, university graduates with bachelor's degrees. An examination of the post-graduation careers of the students from the School of Communication Studies shows that most of them have career ambitions which exclude working in journalism.

Finally, there is need for continuing education for journalists. This can take the form of weekend schools and seminars, workshops and retooling at a reorganized GIJ.

Two other matters of concern were:

- The apparent discriminatory practice of directing Government advertisements to particular private media houses; and
- The conflict between the National Media Commission (NMC) and the National Communications Authority (NCA) over the allocation of FM radio frequencies especially in relation to which should be the responsible body.

3.6.2 Chiefs and Traditional Authorities

Chieftaincy, though old, may not have all the attributes of a democratic institution. As the Coussey Committee found out almost six decades ago, "the chieftaincy institution is so bound up with the life of the communities that its disappearance would spell disaster". We found a general agreement with this judgement in our consultations. Of the hundreds of people we interviewed, only a very negligible minority called for its abolition.

The term 'chief' has different meanings and conjures up a variety of images in people's minds in different parts of the country. There are regions where the institution is strong, and there are parts of the country where it is weak. In Ashanti, Brong Ahafo and Dagbon, for example, chieftaincy is a powerful institution with solid historical and economic bases. In parts of the Northern Regions, for example, among the Talensi, chiefs are basically a colonial creation and, in this sense, are colonial holdovers in independent Ghana. In parts of the Upper West Region, the institution lacks economic strength as the land is owned by the "Tindanas" and not the chiefs. In the Ho area of the Volta Region, we found out that there are fragmented paramountcies to which virtually no one owes allegiance. Yet again, in parts of the Central Region, modernizing forces have so weakened the institution that chiefs are of marginal importance. The degree of popular support for chiefs then is not the same as in other parts of the country. The conclusions we draw from our findings, therefore, should be treated with a great deal of caution for they will not have general applicability.

Chiefs are chosen from a restricted number of royal lineages, and eligible candidates are elected by Kingmakers - individuals to whom immemorial custom and

tradition assign that right. Eventually, they are approved by the people and exercise their powers within a system of checks and balances. Influential chiefs in pre-colonial Ghana exercised real political, judicial and religious powers. Even though they functioned within constitutional constraints, they were the axis, in short, of military, religious, social and political power.

With the establishment of colonial administration, the ruling colonial power looked for culturally legitimate allies and intermediaries who could help them control the countryside and thereby solve what they saw as "the native problem". The chiefs were identified as the allies of the colonial power. They were stripped of their military power but the colonial rulers vested judicial, administrative and financial powers in them. They did not have to seek permission from the central colonial power to be able to exercise their authority.

Chiefs as a result had real powers to make byelaws, levy and collect taxes and judge cases in local courts. All these powers were fused in the person of the chief and where there were no traditional chiefs, the colonial power created them. Chiefs became legislators, executives, judicial and administrative officials and were backed in all their activities by the armed might of the colonial state. The local apparatus of the state became the decentralized arm of the central colonial state, consisting of a hierarchy of chiefs.

There were three distinctive features of the local state structure.

Firstly, there was genuine decentralization as chiefs had real power. Secondly, supervision of the local state by colonial officials was loose and intermittent. Finally, the chiefs, as agents of the central colonial state, were largely free agents with unchecked powers which local residents viewed as total and absolute.

With independence in the late 1950s and in the early 1960s, African governments sought to reform state structure in two main ways: to de-tribalise "native authority" of indirect rule and replace them with democratic forms of government. Second, to de-racialise and democratize their societies. From 1951, under the sway of democratic ideas and institutions, Ghana embarked on the reform of the local state apparatus.

With the passing of the Local Government Act of 1951, chiefs began to lose power at the local level, even though the Act reserved one-third of the membership of the local councils for the chiefs.

The 1961 Local Government Act, Act 54, however abolished the one-third representation for chiefs. The chiefly representation was restored in the 1971 Local Administration Act, Act 359. That Act however could not be implemented by the Government of the Second Republic which passed it before it was overthrown in 1972. When it came to be implemented in 1974, the one-third chiefly representation was retained but the two-third direct universal adult suffrage election was abolished in favour of appointment by the ruling National Redemption Council.

With the dissolution of the District Councils in 1982 by the PNDC and their replacement by Interim Management Committees, chiefs once again lost their positions on the District Councils. The PNDC's local government and decentralization reforms of 1988 only allowed for the PNDC to appoint one-third of the members of the DAs "in consultation with chiefs and other interest groups in the district".

The roles of chiefs have not changed much since the coming into force of the 1992 Constitution. Chiefs are expressly forbidden from taking part in active party politics under Article 276. They are also denied any form of formal representation in local government beyond District Assembly deliberations if they happen to be members. Secondly, they are required to be consulted by the President in the appointment of 30 per cent of the members of the DA.

The local government reforms under the 1992 Constitution, as in the period from 1951, appear to have resulted in the political control of the rural population by urban-based elites who come to power through multi-party elections. Chiefs have lost their power in the local government reforms, but the good news for them in the 1992 Constitution is that it restores their dignity and importance. Article 270 guarantees "the institution of chieftaincy with traditional councils as established by customary law and usage".

It was generally agreed in the consultations that chiefs have a role to play in democratic Ghana. A diversity of views, however, was expressed about the level at

which chiefs can make a contribution to the consolidation of democracy. The judiciary, for example, in all the regions, recognized the importance of chiefs in local communities, but collectively and consistently opposed the idea of giving judicial powers to chiefs to try cases of any kind. Most of the judges, however, recommended that, given their knowledge of tradition and custom, chiefs should be trained in Alternative Dispute Resolution (ADR) and empowered to participate in settling cases referred for ADR.

The chiefs, on their part, exaggerated their importance in the development of the country.

Firstly, almost all the chiefs agreed with the constitutional provision in Art 276 (1) that "a chief shall not take part in active party politics of governance."

Secondly, most of the chiefs demanded that the traditional courts should be restored to them; and that they be granted judicial powers to try matrimonial, land, assault, child delinquency, customary defamation and trespass cases as well as petty crimes. They gave three reasons for their demands: (i) the settlement of cases by chiefs brings about reconciliation and peace instead of conflict and the desire for revenge as in cases tried in the regular courts of law; (ii) delivery of justice in traditional courts is prompt, expeditious and cheap; (iii) administration of justice by chiefs will enhance their dignity and status in local communities.

Thirdly, the restoration of the old native courts should come with all the related law enforcement institutions like the police, and lawyers should be kept out of those courts.

Fourthly, chiefs should be paid a maintenance grant and a regular stipend, and stool land revenues should be paid directly to them.

Fifthly, an Upper House or a Second Chamber should be set up at the national level, and the membership should be restricted to Chiefs.

Finally, chiefs should play active roles at the regional and local levels of governance. At local levels, chiefs should be involved in two types of activities:

- Provide leadership in economic development, the explanation of government policies to the people, social and community projects;
- Chiefs should be genuinely consulted by the President in the nomination of the 30 per cent of the membership of the DAs. The chiefs themselves or their nominees may constitute part of the 30 per cent membership of DAs;
- They should play advisory roles in the appointment of DCEs and be consulted regularly on the activities of DAs, Regional Ministers, DCEs and MPs.

It was equally evident that chiefs had their critics.

A few people demanded the abolition of the institution of chieftaincy on two main grounds. First, that chieftaincy has been so weakened over the years by numerous and endless succession and land disputes that it no longer enjoys public support. Second, those chiefs are prone to autocracy, cronyism, and nepotism, and are thus an anachronism in a democratic society.

It is our belief that chiefs have a useful role to play in modern Ghana for it is indisputably true that most of them are influential in their areas of jurisdiction. Their influence derives from the fact that they usually are seen as "fathers" of the people. For this reason, they should not have anything to do with partisan party politics. They have to be even-handed in dealing with politicians of all political parties in the country.

Second, there is no need for a second chamber, but chiefs may be appointed to any national public office in accordance with Art 276 (6) of the Constitution.

Third, chiefs are influential local notables, and Presidents should comply with the constitutional requirement to consult them in the nomination of the 30 per cent membership of the DAs.

Fourth, chiefs have considerable experience, knowledge and skills. It would be immensely useful to make them permanent members of the ADR groups at national, regional and local levels.

Finally, the ceremonial importance of chiefs in our culture is well known. It is recommended that: i) the National Commission for Culture should consult more systematically with chiefs to organize durbars and celebrate local and national festivals, for such festivities help to cement our sense of community and nationhood; ii) occasionally, chiefs should be included on government delegations going abroad to showcase Ghanaian culture.`

3.7 Civil Societies and Democratic Consolidation

Recently, civil society has been credited with both enriching democracy and counteracting globalisation. In defining civil society, one needs to observe that civil society simply put is what is not the state. The end of the Twentieth Century has seen the emergence of a tri-partite view of society which has been embraced by international donors, politicians and global think tanks. The social and economic aspects of civil society have been separated, with the increasing dominance of the market. The state is the third leg.

The elements of this new approach see government as withdrawing from some areas of its former responsibility while both civil society and the market take on proportionately greater roles in the shaping of society. A model of this arrangement would look like a triangle with government (whose role is seen to be diminishing) at the apex and the market and civil society (whose roles are seen to be increasing) at each angle of the base. In identifying civil society as one apex of the triangle, the model also recognises that there is a large, long-untapped well of resources which falls neither into the category of the state nor the market - charities, non-profit organisations, associations of one kind or another whose aims are generally philanthropic - and which are being designated "civil society" at the turn of the new century.

In the majority of African states, a state of political illiteracy generated first by colonialism, then indigenous forms of autocracy, meant a democratic culture was never successfully established in the era of self-determination. It is the ending of the Cold War and the general discredit into which one-party states fell which sparked the rise of democracy and a greater role for civil society.

In historical times, the view that the influence of civil society on democracy was indirect, fostering a capacity for collective action which might then be adapted to political issues was dominant. In Ghana, a prevailing contention is that civil society contributed immensely to the smooth political transition and alternation of government that occurred after the 2000 elections. The provision of platforms for multi-party debates, the tabling of issues on corruption and active media involvement in election monitoring are cited as key contributions of civil society.

The breadth of interests of civil society groups and the fact that they are able to pursue these independently of state interference gives life to richness and vigour and creates a climate of strong, self-confident associations which governments, in shaping policies, are bound to take into consideration.

The virtue of collective action is that associations, whatever their nature, provide a focus of opinion and a platform of interest from which to engage government, if it is sympathetic, or challenge it if it is not. The question is whether civil society is equal to such task and to providing a robust resource for citizens outside the sphere of the state. Moreover, the stakes have been raised; the demands being made on civil society have been increased as the pressure of the globalised market builds; discontented citizens feel themselves to be increasingly disenfranchised and at the mercy of both amoral commercial enterprises and failed state social policies; and politicians increasingly feel the isolation of state from citizen, and a consequent reduction in authority.

Ghana has not been left out of this global trend towards the increasing importance of civil societies in governance. The 1992 Constitution underscores this growing importance of civil society by providing in Article 35 (6) (d) that the state shall take appropriate measures "by affording all possible opportunities to the people to participate in decision-making at every level in national life and in government".

Article 37 (2) also provides that the state shall enact appropriate laws to assure "the enjoyment of rights of effective participation in development processes including rights of people to form their associations free from state interference and to use them to promote and protect their interests in relation to development processes, rights of access to agencies and officials of the State necessary in order

to realise effective participation in development processes; freedom to form organizations to engage in self-help and income generating projects; and freedom to raise funds to support those activities".

In our consultations, civil society organisations (CSOs), used here to include community-based organisations (CBOs) and non-governmental organisations (NGOs), were very loud in articulating their concerns as follows:

- CSOs act as both partners of Governments and as pressure groups on Governments. In this regard, CSOs support or oppose policies; they do not support or oppose Governments;
- CSOs provide information to the citizenry on democratic governance and practice and play an advocacy role in linking citizens to the decision-makers;
- CSOs can and do play important roles in the monitoring and evaluation of Government policies, programmes and projects, but to do this very successfully and for maximum effect, CSOs need factual information and data, which therefore argues for the enactment of a 'Freedom of Information Act';
- There is the need for a national policy on monitoring and evaluation in which the role of CSOs will be clearly spelt out;
- CSOs act as conduits for the inflow of foreign resources into the country;
- CSOs are fragmented and their objects sometimes duplicate one another; and therefore need to unite under a common organisation to give them a common voice and to serve as a vehicle to channel their concerns to Governments;
- As far as practicable, Governments should give prior notice of major Government policies and programmes to the relevant CSOs for their comments and observations as well as inputs before formalising and finalising them.

3.7.1 Women, Gender and Governance

The members of the DCSP Consulting Team were all male. We kept constantly in mind the feminist critiques of recommendations which men make regarding the removal of the social and political disadvantages women face in democratic soci-

eties. Of the critiques, the most fundamental was that men's views on the social differences between men and women and related attempts to eradicate them are not value-free, but take male experience as the norm and interpret female experience as a disadvantage in comparison with it. In other words, they assume a standard of normality which is inherently male.

The DCSP Consulting Team in this paper however discuss social and economic inequalities among women as a category, inequalities which spring not from gender and sex but originate from problems of social class and access to power. Such inequalities can be eliminated through political action and social policies without gender and sex implications and our final recommendations are cast in that mould.

Governance is now understood to include a wide range of ways in which the political, social and administrative structure of a society affects the access of its members to basic opportunities and capabilities. In recent years, it has been acknowledged that the ability of nations to achieve human development goals depends on a strong link between good governance and sustainable human development. The Beijing Platform for Action (1995) notes that "without the active participation of women and the incorporation of women's perspectives in all levels of decision-making, the goals of equality, development and peace cannot be achieved" The gender gap in the participation of women in the structures and processes of governance has been raised as an issue. It is now generally accepted that unless women constitute a "critical mass" of at least one-third of those in decision-making, their presence makes little difference to the outcomes of governance. A pro-gender or gender sensitive agenda would encompass equal distribution of power and resources, more accountability to gender equitable outcomes and increased participation by women in decisions affecting their lives and those of their households and communities.

The ratio of female/male membership of Parliament, the District Assemblies and the public sector in Ghana is inconsistent with the proportion of women in the population. Women account for less than 10 per cent of people in public office and about 11 per cent of Members of Parliament. These figures point to exclusion and marginalisation of an otherwise huge development resource. But they are also suggestive of the undermining of women's right to participate in political deci-

sion-making in sufficient numbers. In any discussion of democracy and democracy consolidation, women should figure prominently for slightly over half the population of Ghana are women. They thus constitute a significant sector of the population of the country.

We note that in recent political discourses on women, there is increasing reference to such terms as "gender", "gender mainstreaming" and "women in general". The use of this kind of vocabulary tends to conceal vast differences in social background and interests of women who live in different parts of Ghana, particularly in urban and rural areas.

There are a number of women organisations, but the social bases and the interests they represent differ widely. We broadly distinguish between two groups of women. First, there are well-educated professional women who live mainly in urban areas, notably in Accra and Kumasi. They are well connected and well heeled; they have lobbying skills, are politically aware, and have access to wealth and power. They have formed a number of urban-based organisations to protect their interests, but their leaderships and spokespersons are largely unelected. The number of women serving in prominent positions as Ministers of State, Parliamentarians, Ambassadors and Heads of civil and public service departments and sector organisations attest to the growing influence of this social group.

There is a second category of women to be found also in the cities but who live mostly in the countryside. This group comprises the petty traders, market women, street vendors, seamstresses, hairdressers, food producers and subsistence farmers. This latter group of women have little or no formal education, and largely because they are involved in survival economic activities, they have little time or resources for articulating their interests in formal organisations. This group of women should also be brought into the mainstream of democratic politics.

In between these two groups is the sub-elite of nurses, school teachers and office workers who are better organised but have relatively little access to power and influence. So once we carefully examine the social bases and interests of different groups of women and discuss their social characteristics at more disaggregated levels, it becomes obvious that different strategies are required for bringing them into the political arena so that they can have a voice in decisions that affect them.

Some women discussants in the course of the consultations rejected the above categorisations of women and insisted that the entire society is gendered and class-based and that organised urban women are representative of the entire Ghanaian womanhood.

The two positions are however not considered inconsistent with each other especially as they are both agreed on the fact of the historical discrimination against women, the fact of cultural beliefs, values and practices being obstacles to the political participation of women and the need for some form of affirmative action in order to advance the cause of women and to attain the ultimate objective of gender equality.

The view was also expressed that the creation of the Ministry of Women's Affairs, especially coupled as it is with Children's Affairs, has rather weakened the position of Ghanaian women.

The "welfare" approach to children's issues has been adopted for women's issues instead of an approach based on gender equality. This is worsened by the fact that the Ministry of Women and Children's Affairs remains a centralized institution with no district or sub-district offices or outlays.

In the regional consultations, the following points were very passionately canvassed by the women participants:

Education

- The comparatively lower levels of education of women is one of the major causes of women's marginalisation, peripheralisation and disempowerment in the democratic governance process;
- The high dropout rate of girls from schools prevents them from furthering their education and enhancing their ability to participate in politics and democratic governance;

Socio Economic

- The poor economic situation of women, their lack of self-confidence, the maltreatment of widows, women's chastisement as witches, their intimidation by men and religious barriers constitute other obstacles;

- The insults and the physical and psychological aggression of men in politics as well as criticisms of family members also dissuade women from going into politics;

Cultural

- The cultural barriers to women's participation are reflected in the many vernacular proverbs about the place of women in society such as "Obaa ton nyadowa na onton atuduro" (the woman's role is to sell garden eggs, not gunpowder); "Obaa to tuo a, etwere barima bo" ((if a woman has to fire a gun, the gun must lean against a man's chest); "Obaa Yaa Asantewaa" (The Lady Yaa Asantewaa, the Iron lady); "Alomo gyata" (wild woman); "Obaa kayirikayiribombom" (witch);
- "Wawo nipa" (she has given birth to a human being, meaning a baby boy).

3.7.2 The Youth and Governance

All over the world, governments have recognised the role of the youth in society and as a result provided policy frameworks and practical guidelines through programmes for national action and international support to improve the situation of the youth. Despite the rhetoric describing young people as "the leaders of tomorrow" and the many programmes put in place to ensure that the youth participate as equal citizens in governance, they remain largely excluded from the mainstream of the economy, civil society and governance.

In the days before independence, Ghanaian youth were at the forefront of the struggle to bring an end to colonialism. Since independence, however, Ghana has experienced fundamental political, economic and socio-cultural changes with the youth representing the agents, beneficiaries and victims of such changes. The post-independence role of the youth was for a long time diminished by the absence of democratic governance.

However, with the return of constitutionally elected governments, youth involvement has resurged. The major political parties have established youth wings for purposes of canvassing youth votes essentially.

In some situations however, party youth have generally been part of the electoral battle machinery used to fight dangerous political wars without regard to fundamental party philosophies and principles. They have also become assigns of political personalities being manipulated to foment and deepen intra- and inter-party squabbles.

On the student front, the role of the National Union of Ghana Students (NUGS) as a vanguard of freedom and justice has diminished due to the fact that the country is no longer under military rule. NUGS played an active role in Ghana's fight for a multiparty democracy. Another reason for this diminished role is the perceived manipulation of the Union by political parties. It has also been suggested that the recent threats of "secession" by umbrella groups from the Union has not only questioned its legitimacy of being the single largest group that articulates the views of the youth on national policy discourses but also narrowed its leverage within the political landscape.

The youth discussants in the consultations expressed great worry about youth, especially students' corruption, citing NUGS as a case in point. They stated the case as follows:

- The negative trend of partisan politicisation of student elections has introduced corruption into students, especially SRC and NUGS' elections;
- Student leaders themselves lobby political party leaders and end up being corrupted by them;
- Student corruption begins with the embezzlement of Students Union dues;
- The phenomenon of political parties sponsoring candidates for students' elections divides the students front and tends to corrupt the student candidates.

The answer to the problem of the youth lies not only in instituting more policies towards youth empowerment but also changing the whole attitude of society towards young people. Any solutions to these questions therefore must be geared towards ensuring that youth participation in Ghana is crafted around three themes:

Accountability and Transparency

By involving young people in governance, they understand better how these processes work. This means that young people can use their influence to ensure that youth development issues are properly addressed. It also means that young people are directly responsible for these processes and that the processes must respond to the demands that young people place on them.

Ownership and Legitimacy

If young people are involved in formulating public policy, then they will have a sense of ownership and view those policies as legitimate. They will also be fully involved in making them work. Furthermore, their involvement also attracts the participation of other young people, which makes programmes more sustainable. Ownership enables young people to become active in their society and gives them a better understanding of what they can do to ensure political and social progress in their communities.

Sustainability and Relevance

If young people are not part of policy-making processes, then those processes will not be relevant to them and will not attract youth contribution to national development. This means those programmes will not be sustainable. Governance without young people's involvement will likely lead to further policy failures and another generation of young people immobilised by poverty.

It is these three themes which must fuse into a Youth-in-Governance Programme with the aim of stimulating dialogue on governance issues among the youth by emphasising their role in demanding accountability from their government.

STRATEGIES FOR DEMOCRACY CONSOLIDATION

4.0 Introduction

This Section contains specific strategic recommendations aimed at strengthening the institutions and refining the political and social processes that under-gird the democratic process. These recommendations are a synthesis of proposals gathered from the consultations held with stakeholders and a review of the literature on processes for consolidating constitutional representative government.

4.1 The Constitution

The 1992 Constitution has guided constitutional governance since 1993 without any major constitutional crisis. However, the stakeholder consultations suggest that there are areas of the Constitution that are in need of review.

A strategic recommendation is that a major Constitutional Review Conference be held to consider all proposals for review. As preparation towards the Conference, it is proposed that a small Constitutional Review Committee made up of carefully selected constitutional experts be set up tasked with the responsibility of collating proposals for amendments to the Constitution, preparing working drafts of such amendments, and organising the Constitutional Review Conference.

Some of the issues for consideration by the Constitutional Review Committee as collated by the DCSP Team in the course of its regional and national consultations

are presented below:

Executive

- How to resolve the crisis that may result if a sitting President defects from the party on whose ticket he won election as President;
- How to deal with the constitutional lacuna that may arise from the death, resignation, replacement and consequences of defection from the governing party of a sitting Vice President, given that the Constitution has no provision to cater for any of these eventualities;
- The difficulties posed by the requirement for a majority of Ministers to be appointed from Parliament. The preference appeared to be for the discretion to be vested in the President to appoint any number of Ministers from inside or outside Parliament;
- What would happen where a winning Presidential candidate does not command the support of the majority in Parliament; or where no political party gains a majority in Parliament; or where an independent candidate wins the Presidential elections.
- Whether a ceiling should not be placed on the number of Ministries that may be created and the number of Ministers that may be appointed to prevent a bloated Government and to contain Government expenditure within acceptable limits;
- Whether the Office of Attorney General should not be separated from that of Minister of Justice. If accepted, that would require an amendment to Article 88 (1) of the Constitution which makes the Attorney General a Minister of State;
- Whether an Office of Special Public Prosecutor or Independent Counsel should not be established to be responsible for all criminal prosecutions.

- Whether or not Article 108 of the Constitution which places limitations on the financial powers of Parliament should be amended.

Judiciary

- Whether or not there should be an upper limit to the number of Supreme Court Judges that may be appointed;
- Whether or not the panel system of the Supreme Court should be abol-

ished to allow for all members of the Supreme Court to sit on all cases so that there is finality to litigation and consistency of precedence;

- Whether or not there should not be two Deputy Chief Justices responsible for the Superior and Inferior Courts respectively;
- Whether or not the Regional Tribunals should be abolished.

Independent Institutions of the Constitution

- Whether or not the duplication of functions between the Commission on Human Rights and Administrative Justice (CHRAJ) and the Serious Fraud Office (SFO) in their anti-corruption mandates and between the CHRAJ and the National Commission for Civic Education (NCCE) and the Electoral Commission (EC) in their public education mandates should not be rationalised so that as an institution for the protection of human rights and the remedying of administrative injustices, and consistent with its Ombudsman origins, the CHRAJ should be restricted to just those two mandates;
- Following from the proposal above, whether or not it would be more appropriate for the investigation of allegations and complaints of corruption to be conducted by the SFO and the other anti-corruption agencies of state such as the regular Police, the CID, BNI and others, whilst public and civic education as well as education on all aspects of the Constitution and the need to vote (as an aspect of civic education) are left to the NCCE, so that the only aspect of public education that needs to involve the EC will be how to vote (the procedure for voting);
- Whether or not the provision for the publication of compulsory rejoinders by the media in the Chapter on 'Freedom and Independence of the Media' should not be strengthened by including issues of prominence, periodicity and a time-frame for their publication.

The Electoral System

- Whether or not the Constitution should establish an independent "Election Fund" along the lines of the District Assemblies Common Fund to insulate the Electoral Commission and the electoral process from possible executive interference and donor manipulation.

Decentralization

- Whether the DCE should be appointed or elected or whether the present system should be maintained or an entirely new system developed;
- Whether or not the DCE should relinquish his position as the Chairman of the Executive Committee and become an ex-officio member only;
- Whether or not elections to the local government bodies should continue to be non-partisan;
- Whether or not the PM as the officer directly elected by the DA should not be made the Chairman of the Executive Committee and be given such powers as will enable him to play a more central political role in the affairs of the DA;
- Whether the President should continue to appoint thirty per cent of the members of the District Assembly or whether that power should be ceded to the chiefs or whether the District Assembly should be an all-elected body;
- Whether the MP should continue to be a non-voting member of the DA or he should become a voting member or whether as a national legislator he should be a member of the DA at all.

Chieftaincy

- Whether or not the prohibition on chiefs from participation in active partisan politics should be reviewed in the light of concerns expressed about its possible infringement on their fundamental human rights.

Transitional Provisions

- Whether or not the grant of indemnity in the Transitional Provisions of the Constitution to all past coup makers and their associates and collaborators should be revisited.

4.2 Political Parties

The framework for the establishment and operation of political parties in Ghana

requires a review in view of the unclear nature of political party financing. It is recommended that a new 'Political Parties Financing Act' be enacted to establish clear guidelines on financing of political parties in Ghana.

It is proposed that the new law should include:

- Public funding of political parties, including provisions for the remuneration of party office bureaucrats and expenditure on administration. In this respect, it is suggested that the Presidency should initiate action on the EC's paper on political party financing titled "Enhanced Support for Political Parties";
- A more flexible framework for political party financing including provision for corporate and foreign financing of political parties.

The Political Parties Act, 2000, Act 574, should be amended to provide among others the following:

- Making it mandatory for incumbent governments to formulate medium and long-term policies in consultation with their parties;
- Political parties should be encouraged and assisted to institutionalise leadership training schemes and build up a core of leaders, especially among their women and their youth.

The following are proposed as areas that should engage the attention of political parties in periods in between elections:

- The IEA-sponsored Caucus of Political Party Chairmen and Platform of General Secretaries (minus Policy Analysts) appropriately re-designated as Caucus of Regional Party Chairmen/Caucus of Constituency Party Chairmen/Platform of Regional Party Secretaries/Platform of Constituency Party Secretaries should be replicated at the regional and constituency levels, to be facilitated by the Regional and District Offices of the EC (in the absence of The IEA at the regional and district levels);
- Educating party members on party ideology, party history, party identity, party values and party code of conduct;

- To allow for the compromises, networking and stability essential to the successful functioning of multiparty democracy, more frequent inter-party activities must be organised during inter-election periods at all levels - They should be organised by the proposed Platforms of Regional/Constituency Party Secretaries;
- Institutional arrangements should be formalised to allow for more frequent interaction between Government and the political party from which the government emerged to ensure that the programmes (Manifesto) of the party are implemented as far as practicable;
- Press Conferences, the issuance of Press Statements and the organisation or sponsorship of or support for demonstrations and other forms of civil agitation within the constitutional mandate by opposition parties should not be hindered by a sitting Government;
- Undertaking welfare responsibilities towards their members including attendance at funerals, marriages, outdoorings and festivals and generally acting to bond the members of the party together as a family;
- Continuing political education of party members especially to make them appreciate their ownership of and obligations to the party, and of floating voters to convince them to join the party or vote for the party;
- Identification of leadership talent, especially among women and the youth, Parliamentary candidates and polling agents as well as their training and the training of the polling agents to be deployed during the next elections.

4.3 The Electoral System

The following are recommendations made to reform the electoral system and the electoral process:

- Ghana must progressively work towards becoming self-reliant in the financing of its electoral system and process and the EC itself must be made financially independent of the Executive. The surest way of insulating the financing of the EC and the electoral process from possible executive control and/or manipulation and from possible external manipulation is to constitutionally guarantee an "Election Fund" as a per-

centage of total national revenue along the lines of the District Assemblies' Common Fund (DACF);

- The roles of political office holders and officials of political parties in the political campaign process, during the registration process and on Election Day must be defined in Regulations;
- Legislation to spell out the roles of DCEs as Chairmen of the DISECs and Regional Ministers as Chairmen of the REGSECs in the electoral process on Election Day must be enacted;
- Political parties should review the modalities for the selection of their Presidential and Parliamentary candidates to reduce the risks of "monetisation". The small sizes of the "Electoral College" at Party Congresses and Conferences make it possible for the delegates to be corrupted with money ("monetised"/"treated"/"bribed"); An expansion of the system to make it possible for all card-carrying members of the party to participate in intra-party primaries and elections will make "monetisation" more difficult and should be seriously considered by the political parties;
- Legal spending limits for individuals for both intra-party and national (Presidential and Parliamentary) elections as well as legal ways of enforcing the limits and sanctioning breaches thereof should be considered;
- Legislation to criminalise "monetisation" during intra-party elections and primaries should be considered, for even though "monetisation" actually constitutes the electoral offence of "treating", it does not apply in the case of intra-party elections and primaries;
- The EC must come down heavily on its officials who are "monetised", bribed or corrupted. All such allegations and complaints must be taken very seriously and thoroughly investigated. It would be appropriate for the EC to set up a Special Monitoring and Investigation Unit for this purpose.
- The electoral system must be reviewed if the country is to be sincere about giving women a chance for a fairer representation in Parliament since the current system will not allow for a substantial increase in their current under-representation. Best practices that could be considered include a quota system based on an appointment mechanism; a quota system for the political party slates; special seats for women through an all-women candidates election but with election through universal adult

suffrage; or direct state sponsorship of women candidates for Parliamentary elections.;

- In connection with the immediately preceding recommendation and in the greater interest of defining a more pro-active role for the smaller parties, a re-consideration of the proposal of the Committee of Experts (Constitution) for a system of proportional representation instead of the present "first-past-the-post" or "majoritarian" system.

4.3.1 Polling Agents

A programme of support to pay and feed all polling agents of all candidates and political parties is a precondition for ensuring free and fair elections and for the consolidation of democracy in Ghana. The central role of polling agents in conducting free and fair elections is not in dispute. For these reasons:

- Polling agents must be put on the payroll of the EC for the day and paid out of the EC's Budget, just like all other election officials. Any additional support from their own political parties and/or from donors will then be merely supplementary;
- Alternatively, or in addition, a central "Polling Agents Fund" should be established to which Government, development partners and corporate bodies can contribute and out of which polling agents of all political parties may be remunerated. The Government's component should be contributed out of the "Election Fund" proposed under paragraph 4.3 above.

4.3.2 Election Petitions

The specific strategic recommendation is for the establishment of one central ad hoc "Election Petitions Tribunal" after every Presidential and Parliamentary election. The following features of the Elections Tribunal are proposed:

- It should sit for a maximum of one year after the elections;
- Within that period, it should have disposed of all election petitions;
- It should apply uniform rules and should be fair, neutral and objective.

One of the strategic recommendations from the regional consultations is the need

to provide safeguards that will prevent the appellate system and procedures of the Judiciary from frustrating the effectiveness of the proposed Elections Petitions Tribunal and prevent it from achieving its set objectives. Consequently, it is proposed that appeals from the Election Petitions Tribunal should go directly to the Court of Appeal whose decision shall be final as is the case with appeals from the Constituency Demarcation Tribunal under Article 48 (2) of the Constitution.

The regional consultations further suggested that the two-year period proposed for the Election Petitions Tribunal to decide all election petitions should be shortened. It is for that reason that it is now recommended that all election petitions should be disposed of within one year, inclusive of all appellate procedures and processes.

4.3.3 Enfranchising Ghanaians in the Diaspora

The passage of the Representation of the People's Amendment Act (ROPAA), 2006, Act 699, challenges the Electoral Commission to formulate Regulations for its implementation. The EC is of the view that the resolution of the following matters will facilitate implementation:

- Identification of eligible countries for registration and voting.
In this regard, the EC proposes that a country should have a minimum of 500 Ghanaian residents (the minimum number for the creation of polling stations in Ghana) in order to qualify to have a registration centre.
- Agreement on, or legal clarification of the type(s) of elections for which the ROPAA is applicable - Presidential, Parliamentary, District Assembly, Unit Committee or all four elections? (The EC's preference is to apply it to the Presidential elections only).
- Identification or creation of the electoral body that takes responsibility for registration and elections in the foreign countries where the centres are to be opened.
- A mechanism for identifying qualified overseas Ghanaians in terms of citizenship and age for purposes of registration and voting.
- Introduction of mechanisms to deal with the problem of different time zones.

The reservations of the EC strongly suggest that the ROPAA should not be implemented, at least not for the 2008 elections, unless the issues it has raised and the other numerous administrative and logistical challenges can be resolved in good time. The EC has confirmed that the ROPAA will not be used for the 2008 elections.

4.4 Opposition Parties

As earlier stated, the small parties expressed fear that "defeat fatigue" could easily make them electoral casualties, as people may not like to be constantly voting for a losing party. However, it is also a truism that all over the world, it is parties that have electoral strength that survive. Since ours is an infant or nascent democracy and in order to reduce the potential for too quick a demise of the smaller opposition parties, citizens should be encouraged not to vote en bloc for any political party out of blind party loyalty. The practice of "skirt and blouse voting" (that is, voting for a Presidential candidate of one party and a Parliamentary candidate of a different political party) should be encouraged as this would allow even parties that lose the Presidential elections to win some Parliamentary seats. The following recommendations are also made:

- Small parties with representation in Parliament must be helped to survive to perform their swing role in elections;
- Democracy implies the existence of a vibrant opposition so incumbent Governments must nurture the opposition and make sure they survive;
- There should be a formal acknowledgement of the position and role of the Minority Leader in Parliament as was the case under the 1969 Second Republican Constitution.

The overriding consensus was that to give meaning to the practice of multiparty political representation, small parties especially those with representation in Parliament must be helped to survive through state funding.

It is suggested that between elections, opposition parties must undertake the following democracy enhancement activities;

- Mobilise public opinion that will assist in the articulation and projection of alternative political views, values and ideologies into the public policy debate, lawmaking process and budgeting process;
- Promote responsible and reasoned debate. This promotes national dialogue and pushes democratic discussion to a higher level of political development and maturity;
- Maintain touch with the voter-citizen and demonstrate the relevance of politics to the oppressed, marginalized and disenfranchised;
- Hold the government accountable for its commissions or omissions through constitutional, legal and other democratic means;
- Present a viable alternative to the incumbent government by designing alternative ideas, policies and programmes for governing society. Should the ruling party let voters down, the government-in-waiting takes over the reins of government through free and fair elections;
- Act as a training ground for future leaders. Shadow cabinet ministers, for example, typically conduct serious party business in their designated portfolios;
- Strengthen the culture of democracy within the party and the political community in general by for example promoting open debate during delegates conferences, promoting intra-party democratic elections and ensuring accountable use of party finances;
- Working with the Electoral Commission, the mass media and civil society organisations to monitor and improve the quality of voter registration, civic education and electoral transparency.

4.5 The Arms of Government

Most of the recommendations made in Chapter 3 under "Arms of Government" require constitutional amendments. Those recommendations, we hope, will be taken into account at the proposed Constitutional Review Conference. In this section, therefore, we have limited ourselves to those recommendations whose implementation do not require constitutional amendments.

4.5.1 The Executive

- New Ministers, Regional Ministers and Deputy Ministers must be screened before being appointed and must be given orientation courses after appointment but before assuming office;
- The position of Minister of Parliamentary Affairs must be abolished.
- The President must comply with the constitutional requirement that he consults with the substantive Ministers before appointing their Deputies. Once that is done, the position of Special Assistants to Ministers should be abolished.

4.5.2 Parliament

- Parliament should strive hard to establish an identity that will enable it to act as an effective check on the Executive. To be able to do this, Members of Parliament should shed the extreme partisanship that they bring to bear on debate to the extent that virtually every proposal of the Executive is endorsed by the ruling party's MPs and rejected by the opposition MPs.
- Members of Parliament should wean themselves off the District Assemblies' Common Fund and instead establish a "Members of Parliament Constituency Development Fund" as a budget line item under the auspices of the Parliamentary Service.
- Research Assistants and a first class Parliamentary Library, both of which are presently lacking, are a sine qua non to an effective Parliament.
- There should also be established within Parliament, a Legal and Legislative Drafting Department staffed with well-trained Parliamentary Draftsmen.

4.5.3 The Judiciary

The following proposals on the Judiciary are those that do not require constitutional amendments and that can therefore be implemented without any legal obstacles:

- The conditions of service of the Judiciary and the Judicial Service must be improved.
- The obsolete equipment and decayed facilities of the Judicial Service must be replaced.
- There should be formal training of Para-legal staff in the country. In particular, courses on "Legal and Ethical Training" and "Continuing Education for Para-Legal Staff" should be organised for Para-Legal Staff of the Judicial Service.
- The Legal Aid Scheme Act must be reviewed and the framework for legal aid in the country reformed to allow for a wider reach of the Scheme and to excite the interest of more legal practitioners in the Scheme.
- The Legal Aid Scheme should operate as a Directorate of Public Defenders analogous to the Directorate of Public Prosecutors in the Attorney General's Department with conditions of service analogous to those of the lawyers in the Attorney General's Department.
- Citizens' advisory bureaux should be established to give free legal advice as a feature of the Legal Aid Scheme.

With regard to the public perception of a pro-Executive bias on the part of the Judiciary, The Team found that a large dose of independence has permeated its functioning. The Team learnt that Government interest in cases handled by the Judiciary is really infinitesimal - probably less than one per cent - and that the Judiciary has the resilience to withstand Executive pressure. Even the power of appointment of Judges vested in the President is neutralised by the security of tenure Judges enjoy once they are appointed. The Judiciary has, in the opinion of the Team however, not been too keenly anti-Executive.

4.6 Decentralization

In composition and mode of functioning, the District Assemblies as the highest political authorities with deliberative, legislative and executive powers have features that have the potential to impede democratisation.

Firstly, party politics is banned in District Assembly elections. Candidates for

District Assembly elections stand and must present themselves to the electorate as individuals and the elections are conducted on a non-partisan basis.

Secondly, 30 per cent of the members of the District Assemblies are appointed by the President. In exercising this power, he is required by the Constitution to do so in consultation with the chiefs and other traditional authorities and other interest groups in the district. It was found that these people are rarely consulted.

Thirdly, the District Chief Executive, a Presidential appointee, is not only the Chairman of the Executive Committee of the Assembly but is also responsible for the executive and administrative functions of the District Assembly.

Fourthly, the District Assemblies' major source of revenue, the District Assemblies' Common Fund, is centrally controlled. Parliament annually makes provision for its allocation and approves the sharing formula and the payment is made in quarterly instalments. The provision in the District Assemblies' Common Fund Act, 1993, Act 455, that allows the Central Government to indicate how the Fund is to be applied however composes tight controls over the use of what is constitutionally a District Assembly resource.

All these arrangements show that there is an unmistakable historical continuity between the current system of local government and decentralization and the way the local state has been organised since colonial times.

Two centralizing processes which mutually reinforce each other are at work in the current system of local government and decentralization. On the one hand is the de-politicisation at the district level and on the other hand is the tight control through the District Chief Executives and the Presidential power to appoint a maximum of 30 per cent of the District Assembly members.

To ease central control on the local governments and advance and strengthen democratization at the national and local levels, the following general recommendations are made:

- The existing District Assemblies be endorsed as a basis for a decentralized system of local government;
- Candidates seeking election to the District Assemblies should continue

to present themselves to the electorate as individuals and the elections should continue to be non-partisan. However, when the Constitution comes up for review in 2013 as proposed, that provision should be one of those to be reviewed;

- Pending the decision to be taken on the District Chief Executive at the proposed Constitutional Review Conference, he should continue to be appointed by the President as his representative in the district;
- Irrespective of the final decision to be taken on the District Chief Executive, however, his Chairmanship of the Executive Committee of the District Assembly should be reviewed;
- The President should not have power to appoint any members of the District Assembly. Instead, the 30 per cent appointed membership of the District Assemblies should be reserved for the chiefs and/or their representatives and for women.

4.6.1 Political Decentralization

- Pending the outcome of the proposed Constitutional Review Conference on the structure of local government, the present structure of the local government system may be retained but the number of unit committees must be reduced as must their membership, especially as those are not governed by the Constitution but by L.I. 1589 of 1994.
- The President must comply with the constitutional requirement to consult with chiefs and interest groups in the appointment of the 30 per cent membership of the DAs but the issue of reverting the power of appointment of the 30 per cent to the chiefs and traditional authorities must be revisited at the proposed Constitutional Review Conference.

4.6.2 Administrative Decentralization

The following strategic recommendations are made:

- There should be a review of the Local Government Act, 1993, Act 462.
- The Local Government Service Act, 2003, Act 656, should be reviewed and its provisions reconciled with those of the Local Government Act, 1993, Act 462;

- Administrative functions that lend themselves to decentralization (possibly of the de-concentration type) such as company registration and passport processing should be transferred to the DAs.

4.6.3 Decentralized Planning

- District Planning Officers should be appointed to all the districts;
- More strenuous efforts should be made to synchronise the national development planning process with the national budgetary process.

4.6.4 Fiscal Decentralization

The following are our proposals on fiscal decentralization:

- Fiscal decentralization should reflect the district development plans evolving from the decentralized planning system;
- Basic rates as a local government revenue source should be adjusted upwards to a more economically reasonable level or else abolished as a local government revenue source;
- Section 9 of the District Assemblies Common Fund Act, 1993, Act 455, which authorises the practice of the Ministry of Local Government issuing Guidelines for the utilisation of the District Assemblies Common Fund which has the effect of the Common Fund being released as "tied" grants must be repealed.
- The MP's share of the District Assemblies Common Fund should be abolished. Instead, a separate Fund resourced from the Consolidated Fund and operated under the auspices of the Parliamentary Service should be established for the Members of Parliament;
- The introduction and operationalisation of the decentralized budget system known as the "Composite Budget system" is a decentralization imperative;
- The Public Procurement Act, 2003, Act 663, must be reviewed to reintegrate the DAs into the procurement and tender awarding processes.

4.6.5 Other Decentralization Issues

Other outstanding issues of decentralization that emerged out of the consultations and which ought to be taken into account in the proposed review of the Local Government Act and the Local Government Service Act include the following:

Regional Level

- The power of the Regional Minister vis-à-vis the DCEs must be more clearly defined;
- The regional level must be made financially autonomous of Central Government by having a separate budget line in the national budget;
- MPs should not be appointed Regional Ministers or Deputy Regional Ministers where geographical distances prevent them from effectively performing their roles.
- Regional departmental responsibility to the RCCs as well as a Regional Composite Budget must be introduced into decentralization at the regional level;
- DAs should inform RCCs about taxes they have imposed or intend to impose; bye-laws they have passed or intend to pass; and infrastructure projects they have undertaken or intend to undertake.

District Level

- DCEs should undergo training at institutions before assuming office;
- There is the need for Assembly members to be remunerated;
- There is need for publicity and education on bye-laws passed by the DAs for ease of enforcement.

Sub-District Level

- The L.I.s passed in 2004 affecting the composition and functions of the Sub-Metropolitan District Councils for Accra, Kumasi and Shama-Ahanta East should be repealed and the policy issues reviewed and new L.I.s enacted to replace them. In the process, the Tamale Sub-Metropolitan District Councils structure should be reconciled with those of the other Metropolitan Assemblies;

- The revenue sharing arrangements between District Assemblies and the sub-structures provided for in L.I. 1589 of 1994 must be implemented;
- The Unit Committee level of the District Assembly structure should be retained;
- The number of Unit Committees and of the membership of the Unit Committees should be reviewed with a view to their reduction;
- It must be ensured that Unit Committees are allowed and enabled to perform the functions assigned to them under L.I. 1589 of 1994.

4.6.6 The "Good Governance" Agenda

The following recommendations are made to enhance the agenda for "Good Governance" in Ghana:

- Governments should share information with the public and generally make public information more easily accessible. An expeditious enactment of the 'Right to Information Act' would be most appropriate;
- Governments should ensure the continuity of programmes and projects of previous Governments. This would be in compliance with Article 35 (7) of the Constitution which states that: "As far as practicable, a government shall continue and execute projects and programmes commenced by the previous Governments";
- Governments should acknowledge the positive roles played by their predecessors and give them credit where it is due;
- The IEA initiative for the enactment of a 'Presidential Transition Act' to ensure a smooth, peaceful and orderly transition from one Government to another should be vigorously pursued and the Act passed as soon as possible, at least in time for the 2009 transition;
- There should be institutional interactions between public institutions and the citizenry.

4.7 The Anti-Corruption Agenda

Strategic recommendations for prosecuting the anti-corruption agenda focus on the following:

- The anti-corruption agencies must be made independent of the executive. In particular, the Serious Fraud Office (SFO) must be made independent of the Attorney General's Department;
- The overlapping anti-corruption functions of the Commission for Human Rights and Administrative Justice (CHRAJ) and the SFO must be resolved. Ideally, the CHRAJ must be restricted to its Ombudsman functions whilst the SFO becomes the major anti-corruption agency of state, but reconstituted into an independent anti-corruption agency;
- The establishment of an Office of an Independent Prosecutor with the requisite independence to prosecute suspected corrupt Government and public officials without reference to the Attorney General's Department must be considered;
- Consideration should be given to giving the SFO powers of prosecution as have been given to lawyers of the CEPS, Food and Drugs Board and the Ghana Standards Board;
- A decoupling of the Attorney General's Department from the Ministry of Justice, making the former an independent agency of state with independent prosecutorial powers.

4.8 The Media

The following strategic recommendations are made:

- Media houses need to be strengthened to become better equipped and to improve their capabilities;
- The pay, pension and other conditions of service of media personnel must be improved to attract and retain well-educated and talented journalists;
- Media training institutions must receive prior accreditation before they can operate;
- There is the need for a professional disciplinary body external to the Ghana Journalists Association (GJA) and its Ethics and Complaints Committee to discipline errant journalists. The NMC could be strengthened and empowered to play this role;
- In particular, there should be constitutional and legislative amendments to compel the attendance of witnesses before the NMC's Complaints

- Committee and compliance with its rulings;
- Private media houses should be made to bid for Government advertisements as required under the Public Procurement Act since advertisement is the procurement of a service;
 - Both the NMC and the NCA Acts should be reviewed, but this should take place after an impartial panel has listened to the arguments of the two bodies on the issue and made appropriate recommendations;
 - Governments should recognise and respect the role assigned to the NMC in the Constitution with respect to the state-owned media and not seek to interfere with the NMC's responsibility for the supervision of the management of the state-owned media;
 - There is the need to resource the NMC for it to be able to effectively discharge its constitutional mandate;
 - A broadcasting law to provide the framework for the orderly operation of private FM broadcasting stations should be enacted expeditiously.

4.9 Chiefs and Traditional Authorities

The following recommendations are made in respect of chiefs and traditional authorities:

- The constitutional ban on chiefs taking part in active party politics should remain.
- There is no need for a Second Chamber for chiefs as advocated by them, but chiefs may be appointed to any national office in accordance with Article 276 (6) of the Constitution;
- Pending the decision on a possible amendment to the composition of the District Assemblies contained in paragraph 4.1 (Decentralization) above, the President should comply with the constitutional requirement that chiefs be consulted in the appointment of the 30 per cent representation to the District Assemblies;
- Chiefs should be made permanent members of Alternative Dispute Resolution groups at the national, regional and district levels;
- The National Commission on Culture should consult more systematically with chiefs to organise durbars and celebrate local and national festivals;

- Chiefs should be included on Government delegations going abroad to showcase Ghanaian culture.

4.10 Civil Societies and Democratic Governance

In order to give an appropriate voice to civil society and ensure that they play their appropriate role in the good governance agenda, the following recommendations are made:

- Civil society organisations should unite under one organization designed by them to give them the necessary clout to be effective on national governance issues. A legislative framework for such an organisation would be in order.
- There should be a national policy on monitoring and evaluation of the implementation of policies and programmes in which the role of CSOs is clearly spelt out;
- Some resources should be made available for CSOs to participate in the monitoring and evaluation of national policies, programmes and projects. Of particular importance is their participation in decentralized development planning and the independent oversight of budget execution;
- As far as practicable, Governments should give prior notice of major national policies, programmes and projects to the relevant CSOs for their comments and observations and inputs before formalising and finalising them.

4.11 Women, Gender and Governance

The answer to the problem of gender mainstreaming lies in "Affirmative Action". It is therefore proposed that:

- A "National Affirmative Action for Women" policy which should be national in character, multi-partisan, women-owned and biased in favour of rural women should be aimed at and consequently converted

- into enforceable legislation;
- An "Equal Opportunities for Women Commissioner" should be appointed under the legislation to "police" and enforce its provisions;
 - Affirmative action in appointments and elections must be part of any such policy and legislation;
 - A "Ghana Women's Conference" should be convened to work out the framework for the "National Affirmative Action Policy for Women" which should take into account the various political parties' Affirmative Action positions, the Women's Charter and other similar documents.

Pending the policy and legislation, and possibly under it, the following measures aimed at narrowing the gender gap ought to be taken:

- Political parties should field women in their strongholds to give them better chances of winning Parliamentary seats;
- Other pro-women policies to waive election deposits for women candidates, ought to be considered such as the decision taken by the Togolese Government in 2007 and also proposed in The IEA-sponsored "Women's Manual" ;
- At least 30 per cent of political party executive positions should be reserved for women;
- At least 40 per cent of Presidential appointments to the District Assemblies should be reserved for women and this should be backed by legislation;
- The state and the media should continue to consciously play up women who have made it into role models and mentors for other women and girls to emulate.

4.12 The Youth and Governance

From the consultations, it emerged that what is required is a National Youth Policy that is truly national, multi-partisan, consensual, pro-youth and owned by the youth. Such a National Youth Policy should encompass moral training and character transformation, counselling, employment, entrepreneurship, compulsory education, skills training, functional literacy and training, housing, health, par-

icipation in political leadership based on a mentorship programme and a quota system in political positions.

The National Youth Policy should be accompanied by a revised National Youth legislation and a reorganised National Youth Council. The National Youth Policy should also flow from a national development philosophy and should encompass some or all of the following Youth-specific programmes:

- The formation and organisation of Youth Associations in Senior High Schools such as Voluntary Workcamp Associations, Debating Societies and Excursion Clubs;
- A National Vacation Employment Attachment Policy with provision for remuneration;
- A Youth Empowerment Programme through the provision of youth employment opportunities such as the ongoing National Youth Employment Programme and youth participation in decision-making processes;
- A definite policy to groom youth succession to adult positions in public life.

Taking into account the concerns of the youth and the need for a multi-partisan, consensual National Youth Policy developed with the active participation of the youth, it is proposed that a National Conference on the National Youth Policy should be convened to review the progress of work on the policy so far and for the Conference to take over ownership of the Policy. The Conference should also take into account the proposals contained in The IEA-sponsored "Youth Manual".

DCSP IMPLEMENTATION

5.1 The Influencing Factors

The issue of the location of the agency to oversee the implementation of the strategies recommended in this Paper designed to ensure democracy consolidation, received serious attention. In arriving at its final recommendation, the following factors were taken into account:

- As the strategic recommendations cover the different arms of government, the independent institutions of the Constitution, civil society and non-governmental organisations and traditional authorities, the implementing institution should not be situated at a location where one arm of government or institution will play or be perceived to play a dominant role;
- The recommendations cover different Ministries, Departments and Agencies (that is the Executive branch of Government) and are sometimes inter-agency related;
- Great political will and influential connections and tact are required to implement the recommendations;
- Enormous resources from government and non-government sources are required to implement the recommendations;
- Bodies and institutions already exist working on areas which impact on some of the recommendations made;
- There is the need to avoid the creation of unnecessary layers of bureaucracy to implement what is essentially a time-bound, task force implementation type of recommendations;
- The DCSP is a product of The IEA-GPPP comprising the four political parties with representation in Parliament.

5.2 The Possible Locations

With the above factors in mind, the Team considered five possible locations for the implementation of the DCSP:

- The Office of the President;
- A DCSP Inter-Ministerial Implementation Task Force chaired by the Vice President;
- The Office of the Attorney General and Minister of Justice;
- National Governance Programme;
- An independent DCSP Implementation Secretariat.

5.3 Ghana Centre for Multi-Party Democracy (GCMD)

After due consideration and very careful thought, the Team decided in favour of a Ghana Centre for Multi-party Democracy (GCMD) to be established under the auspices of The IEA as the body to be responsible for the implementation of the DCSP recommendations. The Centre should have the following features:

- Its mandate should be to oversee the implementation of the DCSP over the proposed 5-year implementation period;
- The post-DCSP implementation future of the GCMD should be decided in a review of its activities in the penultimate year to the end of the DCSP implementation period;
- The GCMD should work in a strictly non-partisan manner;
- It should have a Board made up of distinguished representatives of the member political parties and the major stakeholders in the DCSP that is the Presidency, Parliament, the Judiciary, the Electoral Commission, CHRAJ, National Media Commission and the National House of Chiefs;
- The GCMD should have an independent staff and regional representatives in each of the ten regions;
- It should work in close cooperation and collaboration with the agencies and organisations whose activities and operations are to be affected by the recommendations in the DCSP;
- Major revenue sources of the GCMD should include the following:

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- (i) Government of Ghana (Annual Budget);
 - (ii) Netherlands Institute for Multi-party Democracy (NIMD);
 - (iii) Development Partners;
 - (iv) Sub-regional and International Organisations.

MONITORING AND EVALUATION OF THE DCSP

Monitoring is in the DCSP seen as a continuous function that depends on a systematic collection of information on the main indicators of progress and achievement of the stated consolidation objectives in growing democracy. The two focus on outcome assessment to determine relevance, impact and sustainability of the proposed interventions.

The two elements of the Monitoring and Evaluation (M &E) programme of the DCSP are:

- An Information Management Process; and
- An institutional arrangement for managing the M & E process.

The Information Management Process

Here, the Programme will undertake the following M & E activities:

- Gather baseline information on the current situation of democracy practice;
- Continuously collect and report information on perceptions of change among stakeholders and progress towards outcomes;
- Feed information back into the executive, legislative and judicial processes;
- Undertake mid-term and end-of-programme assessment to determine the extent of democracy consolidation.

An effective way of promoting the growth of democracy in contemporary times is to make monitoring and evaluation participatory. We therefore propose that data collection should be decentralized to the relevant state and non-state democracy institutions. All participating institutions will be involved in continuous collection of data on commonly agreed indicators of democracy growth. Such information will be processed by the apex M & E implementing institution into comprehensive reports that cover all the aspects of democracy consolidation. Such reports will be shared at specially convened fora as a feedback arrangement. The first of such major reports should be the Baseline Report. Other reports for which information will be gathered are:

- Annual Progress Reports compiled at the end of each project implementation year;
- Mid-Term Evaluation Report;
- Programme Completion Report.

The suggested reporting benchmarks are as follows:

- End of 2nd Quarter of DCSP Implementation - Baseline Report;
- End of 1st-5th Years - Annual Progress Reports;
- Middle of 3rd Year - Mid-Term Evaluation Report;
- Middle of 6th Year - Programme Completion Report.

Details of the data collected will be shared with stakeholders to ensure consistency and comparability.

Additionally, specially commissioned institution-specific reports will be produced and shared with the relevant institutions as seminal issues. Media (comprising radio, print, TV and internet) discussions will be held regularly. Feature and journal articles will be done either on commission or in reaction to emerging issues.

Institutional Arrangements

We propose that The IEA be assigned the responsibility to lead the M & E programme. Implementing the M & E dimension of the DCSP must be done inde-

pendently of the implementation of the interventions. This will reduce biases and prevent the production of self-serving reports that may not give a true indication of the pace and levels of democracy consolidation.

We propose that implementation of the M & E programme be either set up as an internal IEA DCSP M & E Unit with a core staff of experts or be ceded to a cognate institution that has the expertise to track the processes of democracy consolidation.

We also propose the creation of a National DCSP M & E Team constituted as follows:

- M & E Institution
- Parliamentary Majority Leader
- Parliamentary Minority Leader
- Attorney General
- Representative, Office of the President
- 2 representatives of CSOs
- Representative, Women's Organisations
- Representative, Media
- Representative, Youth Organisations
- Representative, National House of Chiefs
- Representative, Judiciary
- 2 representatives of Development partners (from the Sector Working Group).

The Team will be serviced by a small secretariat within the host institution headed by an M & E Coordinator which will provide administrative support to the Team.

The Team will exercise oversight responsibility over the M&E programme and will meet at least once every quarter but may hold emergency meetings.

Sub-national level M&E Teams should be established at regional and district levels (if resources permit) to perform the oversight roles. Membership should be similar to that of the National Team but without the development partners.

International NGOs which undertake activities within the political space may however represent their colleagues. As a lot of political activities occur at the community level which usually remain unreported, it is proposed that the Regional M&E Teams should meet every two months whilst the District Teams meet once a month.

SUMMARY AND CONCLUSIONS

The Democracy Consolidation Strategy Paper has examined in some considerable detail democratic practice in Ghana and its strengths and weaknesses. In this Chapter, we assume the burden of summarising these and ending it all with some conclusions.

Ghana, like other countries elsewhere in Sub-Saharan Africa, has witnessed a notable transformation in her politics. This change has become evident since 1993, through regularly conducted democratic elections which have become the main means of political change and leadership succession at all local and national levels.

Of the cumulation of institutional events since the Constitution came into force on 7th January 1993, the following are significant for democracy consolidation:

- Peaceful Presidential and Parliamentary elections have been organised at four-yearly intervals on four separate occasions;
- Parliament has been meeting regularly since 1993;
- Political parties campaign actively and energetically organise their party primary elections to choose their Presidential and Parliamentary candidates in ways prescribed by their various Constitutions;
- Political parties have on one occasion rotated in government.

The key event of all these institutional developments was the approval and adoption of the 1992 Constitution by significant political actors. The historical significance of the agreement on the democratic Constitution lies in three main respects:

- Ghana made a successful transition to democracy. As became evident in our regional consultations, Ghanaians, including even those who were initially foot draggers, are transferring their allegiance to democracy and democratic institutions.
- Since 1993, key political players have begun to change in ways that strengthen the relevance of democratic institutions and processes in the country. The constitutional rules have clearly affected their political agenda and behaviour and the rules seem to constitute a guide for the expressions of their views and their handling of political conflicts;
- The agreement on a democratic Constitution and subsequent democratic practice has meant that fewer and fewer people are interested in the breakdown of the initial agreement.

Another strength of democratic practice in Ghana has been the existence of a high level of civic and political liberties since 1993. This report has analysed the institutional weaknesses which are not insurmountable. Suggestions have been made to resolve them. On the whole, it is no exaggeration to say that Ghana has made an auspicious beginning in democratisation.

To characterise democratic practice to date in the manner above does not mean however, that democracy is entrenched. It takes time, after adopting a democratic constitution to establish democracy and constitutionalism. We have now entered a new phase, the phase of consolidating democracy. This period calls for the building of stable, valuable, autonomous and flexible political, state and civic institutions. It also means as well habituating the people to the skills and attitudes for resolving political and communal conflicts in a constitutional and democratic manner. Democracy does not develop in an institution-less political arena and the country's priority should be to build institutions.

There are impediments to democratisation in the country which have structural and cultural roots.

As noted in this report, the Executive headed by the President has hegemonic powers. Constitutional inhibitions such as Parliament's lack of power to initiate legislation on public expenditure and on taxation have made it exceedingly difficult to curb Presidential dominance. The hybrid nature of the executive that com-

pels the President to appoint the majority of Ministers from Parliament adds considerably to the President's power of patronage. All these make it almost impossible for Parliament to act as a countervailing force in our system of checks and balances. The President's dominance extends to local government where he has a great deal of influence over what happens in the District Assemblies. Democratisation seems to lack depth at the local government level and there is an urgent need for reforms in the local government sector.

Ghanaians have a well-developed preference for strong and decisive leadership. Also the widespread and established cultural practice of going directly to the Head of State or Government for assistance whenever people find themselves in economic, legal and political difficulties still persists. In such unwelcome situations, people do not avail themselves of the protections afforded by the Constitution and democratic institutions. This practice in combination with the established preference for strong leadership is an extra-constitutional force which undermines efforts to restrain and counterbalance Presidential hegemony.

Skills and attitudes for resolving political and communal conflicts do not appear to be well developed in our society. The use of force in conflict resolution remains an issue. There is a growing sense of unease among prelates, paramount chiefs, clergymen, political leaders and local notables about the possibility of the eruption of violence during election periods. Admonition of voters by leaders to avoid the use of violence during election campaigns can be found in almost all newspapers during such periods. The underlying message always is that violent resolution of post-election disputes cannot be ruled out.

It is reassuring, however, that institutional and democratic events have occurred at regular intervals. Time is part of the process of democracy consolidation. Another reason for reassurance is that alternative political systems with the ideological underpinnings of democracy in Africa and the world seem to have lost their appeal. The more Ghanaians continue to operate democratic institutions and the more political actors show commitment and engage in democratic processes, the more likely it is that Ghanaians will build valuable political institutions which people will find too dear to replace and/or abandon. In such eventuality, democracy will become, as they say, "the only political game in town".

ANNEX 1

DEMOCRACY CONSOLIDATION STRATEGY – PERFORMANCE INDICATORS

GOALS	OBJECTIVES	PROPOSED ACTIVITIES	PERFORMANCE INDICATORS
<p>1.0 THE CONSTITUTION</p>			
<p>1.1 A more workable and effective Constitution</p>	<p>Review 1992 Constitution</p>	<p>1. Constitutional Review Conference to be scheduled 2. Set up 9-member Constitutional Review Conference Preparatory Committee 1. 3. Committee collects and collates proposed constitutional amendments, prepares working drafts of amendment proposals and prepares for organisation of the Constitutional Review Conference</p>	<p>1. Constitutional Review Conference Preparatory Committee established 2. Constitutional amendment proposals collected and collated and working drafts prepared. 3. Constitutional Review Conference held. 4. 1992 Constitution amended.</p>

<p>2.0 POLITICAL PARTIES</p> <p>2.1 Multi-partyism enhanced</p>	<p>Financial support for political parties</p>	<p>1. Enact 'Public Funding of Political Parties Act' with provisions for state funding of political parties.</p> <p>2. Presidential action to be taken on EC's proposals on 'Enhanced Support for Political Parties'.</p> <p>3. Corporate and foreign financing of political parties to be allowed.</p>	<p>1. 'Public Funding of Political Parties Act' enacted.</p> <p>2. Presidential action taken on EC's 'Enhanced Support for Political Parties'.</p> <p>3. Provision made in 2008 Supplementary Budget for state funding of political parties.</p> <p>4. Corporate and foreign financing of political parties permitted.</p>
	<p>2. A more flexible framework for the operation of political parties</p>	<p>1. Amendment of 'Political Parties Act, 2000, Act 574'.</p> <p>2. Governments to formulate policies in consultation with their parties.</p> <p>1.3. Institutionalisation of leadership training schemes by political parties.</p>	<p>1. Political Parties Act, 2000, Act 574 amended'.</p> <p>2. Incumbent Government formulates policies in consultation with its political party.</p> <p>3. Leadership training schemes institutionalised within political parties.</p>
	<p>3. Full engagement of political parties in inter-election periods</p>	<p>1. Establish Caucus of Regional Party Chairmen and Platform of Regional Party Secretaries.</p> <p>2. Establish Caucus of Constituency Party Chairmen and Platform of Constituency Party Secretaries.</p> <p>3. Organise inter-party activities at national, regional, district, constituency, ward and polling station levels.</p> <p>4. Establish institutional</p>	<p>1. Caucus of Regional Party Chairmen and Platform of Regional Party Secretaries established.</p> <p>2. Caucus of Constituency Party Chairmen and Platform of Constituency Party Secretaries established.</p> <p>3. Political parties submit to the GPPP Secretariat at The IEA their programmes for the following:</p> <ul style="list-style-type: none"> • Inter-party activities at all organisational levels; • Interaction between incumbent

			arrangements for more frequent interactions between incumbent Government and its political party. 5. Opposition parties to engage in civil society activities. 6. Continuing political education of political party members. 7. Identify party leadership talent. 8. Identify and train party polling agents.	Government and its political party as appropriate; • Engagement in civil society activities as appropriate; • Continuing political education of party members; • Identification of party leadership talent; • Selection and training of party polling agents. 4. IEA support for 3 above.
3.0 ELECTORAL SYSTEM				
3.1 A truly independent EC that cannot be manipulated or interfered with.	1. Self-reliant and financially independent EC. 2. A self-financing electoral system and electoral process.	1. Establish National Election Fund as a percentage of total national revenue along the lines of the DACF. 2. Amend EC Act to provide for financial independence of EC, modalities for setting up and operating the National Election Fund and a self-reliant electoral system and process.	1. National Election Fund established. 2. EC Act amended to provide for financial independence of EC, establishment of the National Election Fund and a self-reliant election system and process.	
3.2 Securing a level electoral playing field.	1. Ensure elections are free and fair and free from fear.	1. Define roles of political office holders and officials of political parties on Election Day in Regulations. 2. Chairmen of REGSECs and DISECs not to play any role in security arrangements and operational security on Election Day.	1. Role of political office holders and officials of political parties on Election Day defined in Regulations. 2. Operational Security Commanders are fully in charge of operational security on Election Day.	

	<p>2. Programme of support for polling agents.</p>	<ol style="list-style-type: none"> 1. Support for training of polling agents. 2. Support for paying and feeding polling agents on Election Day. 3. Establish Central Polling Agents Fund to receive contributions from Government, development partners, corporate bodies and individuals. 	<ol style="list-style-type: none"> 1. Support provided for training of polling agents. 2. Polling agents paid and fed on Election Day. 3. Central Polling Agents Fund established. 4. Government contribution to Polling Agents Fund is paid out of National Election Fund (3.1 above)
	<ol style="list-style-type: none"> 3. Avoidance of “monetisation” of polling agents. 	<ol style="list-style-type: none"> 1. Political parties revise modalities for selection of Presidential and Parliamentary candidates 	<ol style="list-style-type: none"> 1. Political parties’ modalities for selection reviewed to allow for voting by all card-bearing members
	<ol style="list-style-type: none"> 4. Avoidance of “monetisation” generally. 	<ol style="list-style-type: none"> 2. Political parties to examine possibility of all card-bearing members of party voting in party primaries instead of Delegates’ Conference. 3. Law on election spending limits and election expenditure disclosure for individuals and enforcement mechanisms to be enacted. 4. Law to criminalise “monetisation” in intra-party elections and primaries to be enacted. 5. EC to set up Special Monitoring and Investigation Unit to investigate allegations of “monetisation” of EC officials. 	<ol style="list-style-type: none"> 2. Election Spending Limits and Expenditure Disclosure law enacted. 3. Law against “Treating” at intra-party elections and party primaries enacted. 4. EC sets up Special Monitoring and Investigation Unit.

<p>3.3 Ensuring effective representation for disadvantaged groups and role for smaller parties</p>	<p>1. Best practices studied and selection made of appropriate ones</p>	<p>1. Quota system for disadvantaged groups to be considered. 2. Re-consideration given to possibility of introducing a system of proportional representation in place of the present "first-past-the-post" system.</p>	<p>1. Quota system for disadvantaged groups and proportional representation considered and decisions taken.</p>
<p>3.3 Judicial handling of Election Petitions to have meaning</p>	<p>1. Fairness and expedition in the handling of Election Petitions.</p>	<p>1. Establish one Central Election Petitions Tribunal. 2. Appeals from Elections Petitions Tribunal to go directly to the Court of Appeal whose decision shall be final.</p>	<p>1. Necessary amendments made to relevant laws. 2. Central Election Petitions Tribunal established. 3. Election Petitions appeals end at Court of Appeal whose decision is final. 4. All Election Petitions disposed of within one year (7th December 2009).</p>
<p>3.4 Enfranchisement of Ghanaians in the Diaspora.</p>	<p>1. Registration and voting of Ghanaians resident outside Ghana under the ROPAA.</p>	<p>1. Ensure that Reservations expressed by EC and supported by regional consultations are dealt with.</p>	<p>1. ROPAA not to be implemented for the 2008 elections if practical problems raised by the EC not satisfactorily resolved. 2. EC to work towards IPAC consensus on ROPAA implementation.</p>
<p>4.0 OPPOSITION PARTIES</p>			
<p>4.1 Multi-party democracy.</p>	<p>1. Smaller parties to be helped to survive.</p>	<p>1. The enhancing of state funding for smaller parties.</p>	<p>1. Special funding provided for smaller parties outside of the NPP and the NDC.</p>
<p>5.0 ARMS OF GOVERNMENT</p>			
<p>5.1 EXECUTIVE 5.1.1 A more effective executive arm of Government.</p>	<p>1. An effective but limited executive.</p>	<p>1. Ministers to be screened before and given orientation after appointment.</p>	<p>1. Ministers screened by National Security before appointment and given relevant and record orientation by other institution</p>

			<p>2. Position of Minister of Parliamentary Affairs to be scrapped.</p> <p>3. President to consult Ministers before appointment of their Deputies.</p> <p>4. Position of Special Assistants to Ministers to be abolished.</p>	<p>after appointment.</p> <p>2. Ministry of Parliamentary Affairs scrapped.</p> <p>3. President consults Ministers before appointment of their Deputies.</p> <p>4. Position of Special Assistants to Ministers abolished.</p>
5.2 PARLIAMENT				
5.2.1 An effective Parliament	<p>1. Parliament as an effective check on the Executive and as an effective legislative body.</p>	<p>1. Parliament to establish an independent corporate identity.</p> <p>2. MPs to shed extreme partisanship in dealing with the Executive.</p> <p>3. Parliament to establish a first-class Library.</p> <p>4. MPs to have Aides and Research Assistants.</p>	<p>1. Measures to create independent Parliamentary corporate identity adopted and implemented.</p> <p>2. MPs agree on issues on which a multi-partisan approach will be adopted.</p> <p>3. First-class Parliamentary Library established.</p> <p>4. MPs are provided with Aides and Research Assistants.</p>	
5.3 JUDICIARY				
5.3.1 JUDICIAL SERVICE				
5.3.1.1 An independent and incorruptible Judiciary and Judicial Service	<p>1. Judges and Judicial Service staff working in a salubrious and congenial atmosphere.</p> <p>2. Fair remuneration and conditions of service of Judicial Service staff</p>	<p>1. Conditions of service of Judiciary and Judicial Service staff to be improved.</p> <p>2. Replacement of obsolete equipment and decayed facilities of the Judiciary and the Judicial Service.</p> <p>3. JUSSAG to be recognised as a Union and given collective bargaining certificate.</p>	<p>1. Conditions of service of Judiciary and Judicial Service staff improved.</p> <p>2. Obsolete equipment and decayed facilities replaced.</p> <p>3. JUSSAG recognised as a Union and given collective bargaining certificate.</p>	

<p>5.3.2 PARA-LEGAL STAFF</p>	<p>1. Capacity-building for para-legal staff for para-legal staff countrywide.</p>	<p>1. Formal training for para-legal staff in both public and private legal sectors. 2. Courses on "Legal and Ethical Training" and "Continuing Education for Para-Legal Staff" to be organised.</p>	<p>1. Education for para-legal staff formalised.</p>
<p>5.3.2.1 An efficient and effective support staff for the Judiciary and the judicial and legal processes.</p>	<p>1. An effective, efficient and free or affordable Legal Aid system.</p>	<p>1. Review of Legal Aid Scheme Act, 1997, Act 542. 2. Reform framework for Legal Aid. 3. Set up Legal Aid Scheme as Directorate of Public Defenders. 4. Conditions of service of lawyers in reformed Legal Aid Scheme to be analogous to those in the Office of the Director of Public Prosecutions (DPP). 5. Establish Citizens' Advisory Bureaux to give free legal advice to citizens.</p>	<p>1. Legal Aid Scheme Act reviewed. 2. Framework for Legal Aid reformed. 3. Legal Aid Scheme re-established as Directorate of Public Defenders (DFD). 4. Conditions of service of lawyers in DPD made analogous to those in DPP's Office. 5. Citizens' Advisory Bureaux established.</p>
<p>5.3.3 LEGAL AID</p>			
<p>1. Better access to justice for poor, indigent and under-privileged persons.</p>			
<p>6.0 DECENTRALIZATION</p>			
<p>6.1 POLITICAL DECENTRALIZATION</p>			
<p>6.1.1 Participatory grassroots democracy and popular participation in</p>	<p>1. Viable local government political structures</p>	<p>1. Reduce number of Units 2. Reduce membership of Unit Committees 3. Presidential compliance with</p>	<p>1. L.I 1589 and L.I.s of MMDAs reviewed to reduce number of Units. 2. Chiefs and interest groups consulted in appointment of 30% of MMDA</p>

decision-making.			constitutional requirement of consultation with chiefs and interest groups in appointment of 30% of MMDA membership.	membership.
6.2 ADMINISTRATIVE DECENTRALIZATION				
6.2.1 Efficient and effective local government administration and municipal services delivery.	1. Transfer of skills and competence to Regional Coordinating Councils (RCCs), Metropolitan, Municipal and District Assemblies (MMDAs) and Urban, Zonal, Town and Area Councils (UZTACs).	1. Review Local Government Act, 1993, Act 462. 2. Review Local Government Service Act, 2003, Act 656. 3. Reconcile provisions of Act 656 with those of Act 462. 4. Further decentralization involving transfer of such functions as company registration, vehicle licensing and passport processing.	1. Act 462 reviewed. 2. Act 656 reviewed. 3. Provisions of Act 656 reconciled with those of Act 462. 4. Additional functions transferred to MMDAs.	
6.3 DECENTRALIZED PLANNING				
6.3.1 Development plans reflecting needs and priorities of the communities.	1. Participatory development planning.	1. Appoint District Planning Officers (DPOs) to all the MMDAs. 2. Synchronise the national development planning process with the national budgetary process.	1. DPOs appointed to all MMDAs. 2. National development planning process synchronised with the national budgetary process.	
6.4 FISCAL DECENTRALIZATION				
6.4.1 Sufficient resources	1. Revenue sharing	1. Undertake national revenue-	1. National revenue sharing study	

<p>made available to perform decentralized functions.</p>	<p>between Central Government and MMDAs.</p>	<p>sharing study.</p> <ol style="list-style-type: none"> 2. Adjust Basic Rate upwards or abolish it as an MMDA revenue source. 3. Abolish the issuance of "Guidelines for the Utilisation of the District Assemblies' Common Fund (DACF)" by repealing section 9 of the DACF Act, 1993, Act 455. 4. Abolish MPs' share of the DACF. 5. Establish separate MPs' Constituency Development Fund. 6. Operationalise the "Composite Budget system. 7. Review the Public Procurement Act, 2003, Act 663 and re-integrate MMDAs into the procurement and tender award processes. 	<p>undertaken and used as basis for revenue-sharing between Central Government and MMDAs.</p> <ol style="list-style-type: none"> 2. Basic rate adjusted upwards or abolished. 3. MPs' share of DACF abolished. 4. Separate MPs' Constituency Development Fund established. 5. "Composite Budget" operationalised. 5. Act 663 reviewed.
<p>6.5 OTHER DECENTRALIZATION ISSUES</p>			
<p>6.5.1 REGIONAL LEVEL</p>			
<p>6.5.1.1 Effective regional level for effective coordination and monitoring.</p>	<p>1. Strengthen regional level as coordinating and monitoring level in decentralized structure of governance.</p>	<ol style="list-style-type: none"> 1. Define more clearly the power relationships between the Regional Minister and the District Chief Executive (DCE). 2. Disaggregate the RCC Budget from the Budget of the Office of 	<ol style="list-style-type: none"> 1. Act 462 reviewed to define more clearly the power relationships between Regional Minister and DCEs. 2. RCC Budget disaggregated from Budget of Office of the President. 3. Separate budget line for RCCs introduced

		<p>the President.</p> <ol style="list-style-type: none"> 3. Create a separate budget line for RCCs in the national budget. 4. No MP to be appointed Regional Minister or Deputy Regional Minister except possibly for Greater Accra Region. 5. Integrate Regional Ministries, Departments and Agencies (MDAs) into RCCs. 6. Introduce Regional Composite Budget. 7. MMDAs to keep RCCs informed of district-level activities. 	<p>into national budget.</p> <ol style="list-style-type: none"> 4. No MP is appointed as Regional Minister or Deputy Regional Minister. 5. Departments of RCC established. 6. MMDAs keep RCCs informed of district-level activities.
<p>6.5.2 DISTRICT LEVEL</p> <p>6.5.2.1 To enhance effective political leadership at district levels.</p>	<ol style="list-style-type: none"> 1. Orientation Courses and continuing leadership training (annual) for DCEs. 2. Sustaining interest in MMDAs 3. Citizens' compliance with MMDA bye-laws. 	<ol style="list-style-type: none"> 1. Orientation Courses for DCEs at relevant and recognised institutions on appointment. 2. Continuing annual leadership training for DCEs at Institute for Local Government Studies (ILGS). 1. Assembly members to be remunerated. 1. MMDAs to publicise bye-laws of MMDAs on local FM stations and through District Offices of the National Commission for 	<ol style="list-style-type: none"> 1. DCEs given orientation training at relevant and recognised institutions on appointment. 2. DCEs undergo annual training at ILGS. 1. Assembly members are paid increased monthly allowances from MMDAs' own resources. 1. MMDA bye-laws publicised.

		Civic Education (NCCE) and the Offices of the Information Services Department (ISD).	
6.5.3 SUB-DISTRICT LEVEL 6.5.3.1 To Promote Effective Sub-District Structures	<ol style="list-style-type: none"> 1. Revenue sharing between MMDAs and SMDCs, UZTACs and UCs. 2. Streamlining of Sub-Metropolitan District Council level. 	<ol style="list-style-type: none"> 1. Implement revenue-sharing provisions of L.I. 1589. 2. SMDCs, UZTACs and UCs to perform functions assigned to them under L.I. 1589. 3. 2004 SMDC L.I.s to be revoked, underpinning policies reviewed and new L.I.s enacted and Tamale SMDC structure reconciled with them. 	<ol style="list-style-type: none"> 1. Revenue sharing provisions of L.I. 1589 implemented. 2. SMDCs, UZTACs and UCs perform their delegated functions. 3. 2004 SMDC L.I.s revoked, underpinning policies reviewed, new L.I.s are enacted and Tamale SMDC structure reconciled with them.
6.5.4 "GOOD GOVERNANCE" AGENDA			
To enhance the agenda for "Good Governance" in Ghana	<ol style="list-style-type: none"> 1. Information-sharing and access to public information 2. Continuity of Government programmes and projects 3. Peaceful co-existence among political parties 4. Ensuring smooth, peaceful and orderly political transition 	<ol style="list-style-type: none"> 1. "Right to Information Act" to be enacted 2. Governments, to as far as practicable continue programmes and projects of previous Governments. 3. Incumbent Governments to acknowledge positive roles of their predecessors 4. "Presidential Transition Act" to be enacted 5. Interaction mechanisms of public institutions to be institutionalised. 	<ol style="list-style-type: none"> 1. "Right to Information Act" enacted. 2. Programmes and projects of preceding Governments continued. 3. Governments acknowledge positive roles of their predecessors. 4. "Presidential Transition Act" enacted. 5. The following interaction mechanisms institutionalised: <ul style="list-style-type: none"> • President's "Peoples' Assembly" • Parliament's "Meet the People" • Speaker's "Breakfast Forum" • The Judiciary, CHRAJ, NCCE and NMC to develop their own interaction mechanisms

	5. Institutional interactions between public institutions and the citizenry.		
7.0 ANTI-CORRUPTION AGENDA	1. Effective prosecution of anti-corruption agenda	1. Serious Fraud Office (SFO) to be separated from the Attorney General's (AG's) Department and constituted into an independent anti-corruption agency of state. 2. SFO to be given powers of prosecution. 3. Office of Independent Prosecutor to be established with responsibility for prosecution of suspected corrupt Government and public officials. 4. Attorney General's Department and Ministry of Justice to be de-coupled. 5. Review law on "wilfully causing financial loss to the state".	1. SFO and AG's Department separated. 2. SFO to be given powers of prosecution. 3. SFO Act reviewed to achieve indicators 1 and 2 above. 4. Office of Independent Prosecutor established. 5. AG's Department de-coupled from Ministry of Justice. 6. Law on "wilfully causing financial loss to the state" reviewed.
8.0 THE MEDIA	8.1 Enhancement of freedom of the media	1. A strengthened and effective media.	1. Media infrastructure and facilities improved. 2. Media conditions of service improved.

		<p>2. Improvement in pay, pension and other conditions of service of media personnel.</p> <p>3. Pre-operation accreditation for media training institutions.</p>	<p>3. Legislation enacted to compel pre-operation accreditation for media training institutions.</p>
2. Curbing media excesses, media oppression, media terrorism and media tyranny.	<p>1. Establishment of external Disciplinary body for media practitioners.</p> <p>2. Possibly strengthen National Media Commission (NMC) to play role of media disciplinary body.</p> <p>3. Compulsory attendance of witnesses before NMC Complaints Committee and compliance with its rulings.</p> <p>4. Resourcing of National Media Commission (NMC) to execute its constitutional mandate more effectively.</p>	<p>1. External Disciplinary body for media practitioners established.</p> <p>2. NMC Act reviewed and NMC strengthened to play the role of external Disciplinary body.</p> <p>3. NMC Act reviewed to compel witness attendance before its Complaints Committee.</p> <p>4. NMC resourced and its capacity enhanced.</p>	
3. Fair treatment of media houses in the matter of advertisements.	<p>1. Private media houses to bid for Government advertisements in accordance with Act 663.</p> <p>2. Government to recognise and respect the constitutional role of the NMC.</p>	<p>1. Private media houses bid for Government advertisements.</p> <p>2. NMC's oversight responsibility for state-owned media acknowledged and respected.</p>	
4. Freedom of the airwaves.	<p>1. Resolve dispute between NMC and the National Communications Authority (NCA).</p> <p>2. Review NMC and NCA Acts</p>	<p>1. Impartial body to adjudicate on the NMC/NCA dispute over frequency allocation.</p> <p>2. NMC/NCA dispute resolved and their respective establishment legislation</p>	

		<p>with a view to reconciling the two.</p> <p>3. Enact Broadcasting Law to provide framework for operation of private broadcasting.</p>	<p>appropriately reviewed.</p> <p>3. Broadcasting Law enacted.</p>
<p>9.0 CHIEFS AND TRADITIONAL AUTHORITIES</p>		<p>1. Chiefs and traditional authorities to be appointed to national offices.</p> <p>2. Chiefs and traditional authorities to be consulted in President's appointment of 30% membership of MMDAs.</p> <p>3. Chiefs and traditional authorities to be made permanent members of Alternative Dispute Resolution (ADR) groups at national, regional, district and community levels.</p> <p>4. National Commission on Culture (NCC) to consult with chiefs and traditional authorities in the organisation of durbars and the celebration of local and national festivals.</p>	<p>1. Qualified chiefs and traditional authorities appointed to head public sector organisations, to serve on Boards of state-owned enterprises and as Ambassadors and High Commissioners.</p> <p>2. Chiefs and traditional authorities consulted in President's appointment of 30% membership of MMDAs.</p> <p>3. Chiefs and traditional authorities trained and appointed to serve on ADR groups.</p> <p>4. NCC consults with chiefs and traditional authorities in organisation of durbars and celebration of festivals.</p> <p>5. Chiefs included in Government overseas delegations.</p>
<p>9.1 Inclusivity in governance</p>	<p>1. Enhanced role for chiefs and traditional authorities in governance.</p>		

<p>10.0 CIVIL SOCIETIES AND DEMOCRATIC GOVERNANCE</p> <p>10.1 A critical role for civil society in the good governance agenda</p>	<p>1. CSO voice and role in the good governance agenda</p>	<p>1. Umbrella organisation for CSOs 2. Legislative framework for CSOs 3. National monitoring and evaluation policy with role for CSOs 4. Prior notice of national programmes to be given to CSOs 5. Resources for CSOs for monitoring and evaluation purposes</p>	<p>1. National Conference of CSOs convened 2. Legislative framework proposed and Parliamentary Act on CSOs umbrella organisation passed 3. National monitoring and evaluation policy with role for CSOs launched 4. Resources made available for CSOs for monitoring and evaluation purposes</p>
<p>11.0 WOMEN, GENDER AND GOVERNANCE</p> <p>11.1 Inclusivity in governance</p>	<p>1. National Affirmative Action for Women</p>	<p>1. "Ghana Women's Conference" to work out framework for Affirmative Action for Women Policy. 2. National Affirmative Action Policy for Women to be developed and launched. 3. Legislation on Affirmative Action for Women to be enacted. 4. "Equal Opportunities for Women Commissioner" to be appointed. 5. Affirmative action in appointments by Government</p>	<p>1. "Ghana Women's Conference" on Affirmative Action for Women Policy convoked. 2. Women's Affirmative Action legislation enacted. 3. "Equal Opportunities for Women" Commissioner appointed. 4. Government reflects 40% women in its appointments. 5. Political parties submit proposals to GPPF Secretariat at The IEA on affirmative action measures for women in intra- and inter-party elections. 6. IEA funds all or part of proposals in 5 above.</p>

		and in elections by political parties.	
12.0 THE YOUTH AND GOVERNANCE 12.1 Inclusivity in governance.	1. A multi-partisan, consensual, pro-youth and youth-owned National Youth Policy.	1. National Conference on the National Youth Policy convoked to take over ownership of the National Youth Policy. 2. Develop a new National Youth Policy. 3. Revise the National Youth Council Decree. 4. Reorganise the National Youth Council.	1. National Conference on National Youth Policy convoked. 2. New National Youth Policy developed and launched. 3. NYC Decree revised and new national youth legislation passed. 4. NYC reorganised.

ANNEX 2 PROGRAMME COSTING

ISSUE	EXPECTED OUTPUT	INDICATOR	PROPOSED ACTION	ONGOING INITIATIVE	TIME FRAME	ESTIMATED BUDGET (\$)	M&E AGENCY
OBJECTIVE 1: CONSTITUTIONAL AMENDMENT							
Review 1992 Constitution	1.1 A more workable and effective Constitution	<p>1. Constitutional Review Conference Preparatory Committee established</p> <p>2. Constitutional amendment proposals collected and collated and working drafts prepared.</p> <p>3. 2013 Constitutional Review Conference held.</p> <p>4. 1992 Constitution amended</p>	<p>1. Constitutional Review Conference scheduled for 2013</p> <p>2. Set up 9-member Constitutional Review Conference Preparatory Committee</p> <p>3. Committee collects and collates proposed constitutional amendments, prepares working drafts of amendment proposals and prepares for organisation of 2013 Constitutional Review Conference</p>		2010-2013	500,000	
Total Estimated Cost						500,000	

ISSUE	EXPECTED OUTPUT	INDICATOR	PROPOSED ACTION	ONGOING INITIATIVE	TIME FRAME	ESTIMATED BUDGET (\$)	M&E AGENCY
OBJECTIVE 2: STRENGTHENING POLITICAL PARTIES/OPOSITION PARTIES							
1. Financial support for political parties	2.1 Multipartyism enhanced	1. 'Political Parties Financing Act' enacted. 2. Presidential action taken on EC's 'Enhanced Support for Political Parties'. 3. Provision made in 2008 Supplementary Budget for state funding of political parties. 4. Corporate and foreign financing of political parties permitted.	1. Enact 'Political Parties Financing Act' with provisions for state funding of political parties. 2. Presidential action to be taken on EC's proposals on 'Enhanced Support for Political Parties'. 3. Corporate and foreign financing of political parties promoted.		2008-2010	200,000	
2. A more flexible framework for the operation		1. Political Parties Act, 2000, Act 574 amended'.	1. Amendment of 'Political Parties Act, 2000, Act 574'.		2009-2010	250,000	

of political parties		<p>2. Incumbent Government formulates policies in consultation with its political party.</p> <p>3. Leadership training schemes institutionalised within political parties.</p>	<p>2. Governments to formulate policies in consultation with their parties.</p> <p>3. Institutionalisation of leadership training schemes by political parties.</p>					
3. Full engagement of political parties in inter-election periods		<p>1. Caucus of Regional Party Chairmen and Platform of Regional Party Secretaries established.</p> <p>2. Caucus of Constituency Party Chairmen and Platform of</p>	<p>1. Establish Caucus of Regional Party Chairmen and Platform of Regional Party Secretaries.</p> <p>2. Establish Caucus of Constituency Party Chairmen and Platform of Party Secretaries.</p>	2009-2012			500,000	

1. Political parties to be helped to survive.		education of party members; • Identification of party leadership talent; • Selection and training of party polling agents. 4. IEA support for 3 above.	talent. 8. Identify and train party polling agents.						
		1. Special funding provided for political parties.	1. State funding for political parties.		2009-2015			1,000,000	
TOTAL								1,950,000	

ISSUE	EXPECTED OUTPUT	INDICATOR	PROPOSED ACTION	ONGOING INITIATIVE	TIME FRAME	ESTIMATED BUDGET (\$)	M&E AGENCY
OBJECTIVE 3: STRENGTHENING THE ELECTORAL SYSTEM							
1. A Self-reliant and financially independent EC.	3.1 An independent EC that cannot be manipulated or interfered with.	1. A Self-reliant and financially independent EC. 2. A self-financing electoral system and electoral process.	1. Establish a National Election Fund as a percentage of total national revenue along the lines of the DACF. 2. Amend EC Act to provide for financial independence of EC, modalities for setting up and operating the National Election Fund and a self-reliant electoral system and process.		2009-2015	1,500,000	
1. Ensure elections are free and fair	3.2 Securing a level electoral playing	1. Ensure elections are free and fair	1. Define roles of political office holders and officials of		2008-2015	50,000	

and free from fear.	field.	fear.	political parties on Election Day in Regulations.					
2. Programme of support for polling agents.		2. Programme of support for polling agents.	1. Support for training of polling agents. 2. Support for paying and feeding polling agents on Election Day. Establish Central Polling Agents Fund to receive contributions from Government, development partners, corporate bodies and individuals.	2008-2015			550,000	
3. Avoidance of "monetisation" generally.		4. Avoidance of "monetisation" generally.	1. Political parties revise modalities for selection of Parliamentary candidates. 2. Political parties to examine possibility of all	2008-2015			50,000	

ANNEX 3

DCSP STAKEHOLDER CONSULTATIONS

NATIONAL LEVEL CONSULTATIONS

Political Parties

1. Convention Peoples Party (CPP)
2. Democratic Peoples Party (DPP)
3. Great Consolidated Popular Party (GCPP)
4. National Democratic Congress (NDC)
5. New Patriotic Party (NPP)
6. National Reform Party (NRP)
7. Peoples National Convention (PNC)

Constitutional Institutions

8. National Media Commission
9. National Commission for Civic Education
10. Electoral Commission
11. First Deputy Speaker of Parliament, Hon. Freddie Blay
12. Former Speaker of Parliament, Right Honourable Peter Ala Adjetey
13. Parliamentary Minority Leader, Honourable Alban Sumani Bagbin

14. Office of the Vice President of the Republic, (Yaw Buaben Asamoah - Special Aide to the Vice President)
15. Her Ladyship The Chief Justice, Mrs. Georgina Theodora Wood/Supreme Court Judge Mr. Justice S. A. Brobbey

Civil Society Organisations

16. Civil Servants Association of Ghana
17. National Association of Graduate Teachers of Ghana
18. President of the Ghana Journalists Association, Mr. Ransford Tetteh
19. Editor of the Daily Graphic, Mr. Yaw Boadu Ayebofo
20. Ghana Catholic Bishops Conference (Dialogue and Advocacy for Good Governance (DAGG) Office)
21. Trades Union Congress (Dr. Yaw Baah - Head, Policy and Research)

REGIONAL CONSULTATIONS

UPPER EAST REGION

Political Parties

22. Convention Peoples Party (CPP)
23. Peoples National Convention (PNC)
24. National Democratic Congress (NDC)

Public Service Organisations

25. Ghana National Association of Teachers (GNAT)
26. National Association of Graduate Teachers (NAGRAT)
27. Civil Servants Association of Ghana (CSAG)

Civil Society Organisations

28. Veterans Association of Ghana (VAG)
29. University of Development Studies (UDS)
30. Assemblies of God Mission
31. Trades Union Congress (TUC)
32. ISODEC

Judicial/Legal Sector

33. Supervising High Court Judge Justice K. B. Aning
34. Judicial Service Staff Association of Ghana (JUSSAG)
35. Attorney General's Department

Constitutional Bodies

36. Electoral Commission (EC)
37. National Commission for Civic Education (NCCE)
38. Regional House of Chiefs
39. Regional Coordinating Director (RCD)
40. District Chief Executives (DCEs)

Media

41. Ghana Journalists Association (GJA)
42. Ghana News Agency (GNA)
43. Ghana Broadcasting Corporation (GBC)
44. Ghanaian Times
45. Rock FM
46. Style FM
47. Graphic Communications Group

NORTHERN REGION

Constitutional Bodies

48. District Chief Executives (DCEs)
49. Northern Regional Coordinating Council
50. Regional House of Chiefs
51. National Commission for Civic Education (NCCE)
52. Commission on Human Rights and Administrative Justice (CHRAJ)
53. Electoral Commission (EC)

Judicial/Legal Sector

54. Supervising High Court Judge

- Justice V. C. Doegah
55. Judicial Service Staff Association
of Ghana (JUSSAG)
56. Ghana Bar Association

Political Parties

57. National Democratic Congress
(NDC)
58. Peoples National Convention
(PNC)
59. New Patriotic Party (NPP)

Civil Society Organisations

60. Ghana National Association of
Teachers (GNAT)
61. Civil Servants Association of
Ghana (CSAG)
62. Girls Growth and Development
63. W. O. Ministry
64. National Council on Women and
Development (NCWD)
65. EWID
66. FOMWAG
67. NORSAAC
68. University of Development Studies
68. SEND Foundation

Media

70. GBC Radio Savannah
71. GNA
72. Ghanaian Times
73. Enquirer
74. The Chronicle
75. Daily Dispatch
76. Diamond FM
77. Radio Justice

78. Graphic Communications Group

UPPER WEST REGION

Political Parties

79. NDC
80. PNC
81. NPP
82. CPP

Media

83. Radio Progress
84. GBC

Judicial / Legal Sector

85. Supervising High Court Judge
Justice B. O. Tetteh
86. JUSSAG
87. Attorney General's Department
Constitutional Bodies
88. Regional House of Chiefs
89. RCC
90. NCCE
91. EC
92. CHRAJ
93. DCEs

Civil Society Organisations

94. Methodist Church
95. CSAG
96. TUC
97. GNAT
98. Widows St. Cecilia Parish
99. SEND Foundation
100. UDS
101. Ghana Registered Nurses

- Association (GRNA)
102. Regional Department of Women
103. Federation of Muslims
104. Ahmadiyya Mission
105. Association of Women with Disabilities
106. Police Wives Association
107. Yam Sellers Association
108. Food Sellers Association
109. GHABA
110. Tomato Sellers Association

CENTRAL REGION

Political Parties

111. PNC
112. CPP
113. NDC

Media

114. GJA
115. GBC
116. Graphic Communications Group
117. Ghanaian Times

Constitutional Bodies

118. EC
119. NCCE
120. RCC

Public Service Organisations

121. Department of Social Welfare

Civil Society Organisations

122. NAGRAT
123. Market Women Association

124. GNAT

Judicial/Legal Sector

125. JUSSAG
126. Judicial Service
127. Legal Aid Scheme
128. Ghana Bar Association

WESTERN REGION

Civil Society Organisations

129. Catholic Diocese
130. GNAT
131. TUC
132. Mercy Foundation International
133. CSAG
134. ATWWAR
135. Regional Chief Imam

Public Service Organisations

136. National Youth Council
137. Department of Women
138. RCC

Constitutional Bodies

139. Regional House of Chiefs
140. NCCE
141. EC

Political Parties

142. CPP
143. PNC
144. NDC
145. NPP

Media

- 146. GJA
- 147. The Chronicle
- 148. GBC
- 149. Graphic Communications Group
- 150. Ghanaian Times

Judicial/Legal Sector

- 151. Supervising High Court Judge
Justice Anthony Opong
- 152. JUSSAG

BRONG AHAFO REGION**Constitutional Bodies**

- 153. Regional House of Chiefs
- 154. DCEs
- 155. EC
- 156. NCCE
- 157. CHRAJ

Media

- 158. Shalom FM
- 159. GBC
- 160. GNA
- 161. The Statesman

Civil Society Organisations

- 162. GNAT
- 163. Catholic University SRC
- 164. CSAG
- 165. Catholic Women Association
- 166. NAGRAT
- 167. Methodist Church
- 168. TUC
- 169. Sunyani Polytechnic SRC

Political Parties

- 170. PNC
- 171. CPP
- 172. DFP
- 173. NDC

ASHANTI REGION**Political Parties**

- 174. GCPP
- 175. CPP
- 176. NDC
- 177. PNC
- 178. NPP

Media

- 179. TV 3
- 180. Daily Searchlight
- 181. The Independent
- 182. Metro TV
- 183. Ghanaian Times
- 184. GNA

Civil Society Organisations

- 185. CSAG
- 186. NAGRAT
- 187. GNAT
- 188. TUC
- 189. Budvell Brothers Consult
- 190. University Students Association
of Ghana
- 191. Graduate Students Association
- 192. LOTF
- 193. GUNYSA
- 194. NUGS
- 195. Leaders of Tomorrow

Constitutional Bodies

- 196. EC
- 197. NCCE
- 198. RCC
- 199. Kumasi Metropolitan Assembly

Judicial/Legal Sector

- 200. JUSSAG
- 201. Judicial Service

EASTERN REGION**Political Parties**

- 202. NPP
- 203. NDC
- 204. CPP
- 205. PNC

Media

- 206. GNA
- 207. GJA
- 208. GBC Sunrise FM
- 209. Graphic Communications Group
- 210. Ghanaian Times

Judicial/Legal Sector

- 211. Legal Aid Scheme
- 212. JUSSAG
- 213. Judicial Service
- 214. Ghana Bar Association

Public Service Organisations

- 215. Department of Social Welfare
- 216. Department of Women
- 217. National Youth Council
- 218. Ghana Education Service

Constitutional Bodies

- 219. Regional House of Chiefs
- 220. RCC
- 221. New Juaben Municipal Assembly
- 222. NCCE
- 223. EC
- 224. CHRAJ

Civil Society Organisations

- 225. Dynamic Alliance
 - 226. Koforidua Polytechnic SRC
 - 227. TUC
 - 228. GNAT
 - 229. Faith & Hope St. Joseph Hospital
 - 230. 4-H Ghana
 - 231. NJUANET
 - 232. Hope for Ghana
 - 233. CSAG
 - 234. Presbyterian Women's Fellowship
 - 235. Shepherd Family
 - 236. GNTOA
 - 237. FIDA-Ghana
 - 238. Future Leaders Club
 - 239. Ghana Post Company Limited
 - 240. Polytechnic Teachers Association of Ghana (POTAG)
 - 241. Juaben Serwaa Market Association
 - 242. Koforidua Polytechnic
 - 243. GNATLAS
 - 244. GNFS (FISLA)
- VOLTA REGION**

Political Parties

- 245. CPP
- 246. NPP

- 247. NDC
- 248. PNC

Media

- 249. Graphic Communications Group
- 250. Volta Premier FM
- 251. The Independent
- 252. The Heritage
- 253. GBC
- 254. Ghanaian Times
- 255. Daily Guide
- 256. GNA

Constitutional Bodies

- 257. NCCE
- 258. CHRAJ
- 259. RCC
- 260. DCEs

Civil Society Organisations

- 261. Institution for Information and Development (INFODEV)
- 262. Women in Law and Development (WILDAF)
- 263. Evangelical Community Mission
- 264. Village Exchange Ghana
- 265. Ho Polytechnic SRC
- 266. NAGRAT
- 266. Community Action
- 268. GNAT
- 269. TUC
- 270. CSAG
- 271. POTAG
- 272. GNUPS

Public Service Organisations

- 273. Department of Social Welfare
- 274. National Youth Council

Judicial/Legal Sector

- 275. Supervising High Court Judge
Justice Gibson K. Adzagli
- 276. Ghana Bar Association
- 277. JUSSAG
- 278. Legal Aid Scheme

GREATER ACCRA REGION

Judicial/Legal Sector

- 279. High Court Judges (4)
- 280. Legal Aid Scheme Chairman,
Justice F. M. Lartey
- 281. Ghana Bar Association

Political Parties

- 282. NPP
- 283. NDC
- 284. CPP

Civil Society Organisations

- 285. TUC
- 286. Philip Foundation
- 287. GRNA

Constitutional Bodies

- 288. DACFA

Media

- 289. Daily Guide
- 290. GNA
- 291. Metro TV

- 292. Ghanaian Voice
- 293. Free Press
- 294. GJA
- 295. GIJ
- 296. Bilingual Free Press
- 297. TV Africa
- 298. Adom FM
- 299. Public Agenda

Women's Organisations

- 300. WILDAF
- 301. FIDA-Ghana
- 302. ABANTU for Development
- 303. NETRIGHT
- 304. NEWIG
- 305. Women's Assistance & Business Association (WABA)
- 306. Janek Foundation
- 307. FAWA
- 308. COA

Youth Organisations

- 309. Youth Network for Human Rights and Democracy
- 310. Accra Polytechnic SRC
- 311. GHALSA
- 312. NUGS
- 313. Islamic University SRC
- 314. Global Centre for Youth Advocacy and Development (GLOCYAD)
- 315. Abibiman Foundation
- 316. GNUPS
- 317. GIJ

ANNEX 4

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