Decentralization of Despotic Power and Ghana's Democratic Locus: A Historic Sketch

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ABSTRACT   Ghana was unstable at independence in 1957 due to the posture of traditional rulers (hereafter, Chiefs): they resisted the structure of the state, and rivaled government by perceiving themselves as natural rulers and alternative agents of local government. Given that decentralization in such a context will devolve power to Chiefs as hostile actors, the first post-independent government dismantled the independence system of decentralization and centralized power. This strategy has left a constraining legacy on the decentralization agenda of the current Fourth Republic in terms of lax government commitment which most observers and development aid agencies judge to be the main hindrance to deepened decentralization and hence advocate for a change in government attitude. Using Mann's notion of despotic power, this paper demonstrates that such advocacy suffers from normative universalism and thus unrealistic since due cognizance is not taken of the instrumentalist interests of government which is to attain, retain and expand power. Given this, a more realistic approach to deepening decentralization will require development aid agencies partnering with Chiefs to leverage their constitutionally guaranteed autonomy to be effective agents of local government. This will compel government to partner Chiefs for fear of losing popular support if they are seen to be hostile toward traditional leader's empowerment of localities.

KEYWORDS: Decentralization; Democracy; Despotic power; Ghana; Local government.

Introduction: Decentralization as a Function of Despotic Power in Ghana

Studies on decentralization in Ghana, generally understood to mean "any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative and territorial hierarchy" (Ribot 2002: ii) and said to be linked with the possibility of democratic development, suffers from normative universalism: scholarship on the subject seems to come across as an academic prosecution of government actions deemed, *ab initio*, to be aberrations. The justification for such perspectives, often leading to forgone conclusions, are often made with reference to advanced Weberian theoretical and policy *best practices* in the process of which government (which surely will never measure up to the standards of the said best practices), is always pronounced as guilty of incompetence, noncommitment and mediocrity. Given that the dominant scholarship on the subject at issue fails to recognize the fact that being a political imperative, decentralization will always be subject to the prudent governance of disruptive contingencies, notwithstanding stated policy goals, *in situ* idiosyncrasies as well as the strategic rationality of political actors is mostly discounted, overlooked or unacknowledged

(see for example Ayee 1992, 1997; Amanor & Annan 1999; Debrah 2014; Sulemana & Amakye 2019; Anaafo 2018; Commonwealth Local Government Forum, n.d.).

This paper, contrary to the cited conventional approaches in the study of Ghanaian decentralization is situated within the analytical framework of relativism (an approach which requires attention to domain specific tendencies) and advances the position that Ghana's long experience with instability due to rivalry between Chiefs and party/state elites from 1951 to 1981 (see Ladouceur 1979; Ray 1996; Rathbone 2000; Knierzinger 2011; Kpessa 2012; Mawuko-Yevugah & Attipoe 2021) made decentralization a risky political venture hence its implementation has been framed mainly by prudence and the quest for state cohesion. This thesis, probed with the aid of Mann's notion of *despotic power*, is anchored on the assertion that local government in Ghana is about the decentralization of illiberal agency constraining despotic power. Therefore, decentralization is not merely about extending democratic power to the 'doorstep of the people' *per se* but rather is part of a wide array of strategic imperatives employed by government to extend the reach and control of democratic power with the intention to either co-opt or corrode primordial systems of political rivalry. Having said this, local government aberrations are an aspect of the said democratic power extension strategy and therefore has instrumental political value. Against the background of *poor results* from reforms initiated by foreign aid agencies (Crawford 2009), this paper proposes the need for interventions to be informed by the instrumental political roots of decentralization drawbacks which stand a good chance of being resolved if the axis of power is rebalanced to enhance the agency or negotiating capacity of Chiefs vis-à-vis government in the formulation and implementation of local government programs.

The next sections are set out as follows: a review of literature on Ghana's experience with the politics of decentralization in a historic context. Next, Mann's concept of *despotic power*, the paper's theoretical anchor, will be presented and examined in relation to *infrastructural power* with the two tendencies treated as the extremities of a power spectrum. The theoretical framework will subsequently be used as a guide to interrogate Ghana's quest for decentralization in a context of political instability/stability as defined by rivalrous friction and democratic rapprochement between traditional rulers (hereafter, Chiefs) and state level elites. The paper eventually recommends that foreign aid agencies form a partnership with Chiefs since such an endeavor may help amplify the local government agency of traditional rulers vis-à-vis central government and in the process indirectly extend the current frontier of Ghana's democratic locus. A conclusion then follows.

DECENTRALIZATION REDUX: PROBING PERSPECTIVES IN THE DYNAMIC CONTEXT HISTORY

Ghana's decentralization agenda of the 1980s, launched against the backdrop of political animosity between Chiefs and government elites, was an important dimension of preparatory processes toward the inception of the Fourth Republican order (Owusu 1996; Antwi-Boasiako 2010).

Indeed, the 1992 Constitution of the Fourth Republic is rooted in a prior cannon of decentralization decreed by a junta, the Provisional National Defense Council (PNDC), after a military coup d'état on the 31st of December 1981 which led to the initiation of processes to decentralize power with the intent to mobilize the masses as the guarantors of an envisaged democratic order (Ninsin 1987). Given the post 1957 historical milieu of failed democratic experiments, the PNDC anticipated that an active popular participation in

national political affairs, will provide a strong foundation for a well-grounded democratic system (Asibuo 1991; Ayee 1992; Jeffries 1996; Amanor & Annan 1999: 10; Adedeji 2001; Mahama 2009; Ngcingwana 2016; Agomor, Adams & Taabazuing 2019). As the leader of the junta put it: The PNDC was a facilitator for "an opening for real democracy" in which

> ...nothing will be done from the Castle, whether by God or the Devil, without the consent and authority of the people. In other words, the people ... so long as you are a Ghanaian, rich or poor, will be part of the decision-making process... (Ninsin 1987: 20)

Further, the junta also noted that previous decentralization efforts were limited in terms of comprehensiveness, an outcome which resulted in rural under development and a massive gulf of inequality between rural and the urban dwellers (Ayee 1997; Haynes 2003).

Consequently, the PNDC in 1985 mandated its National Commission for Democracy (NCD) to devise a viable democracy through nationwide consultations. Even though the PNDC's leader, J.J. Rawlings, was initially not open to any role for political parties in the emergent democracy (Crook 1999), he eventually partially acceded to the contrary views of Ghanaians, as expressed to the NCD (Ninsin & Drah 1987; Asante & Gyimah-Boadi 2004). Being so, the junta accepted popular calls for the direct participation of ordinary people in national politics through Local Assemblies (LAs) but imposed the exclusion of political parties, a measure still in place in the form of a constitutional provision (Gyimah-Boadi 1994; Oquaye 2004; Comparative Constitutions Project 2012: 113). The PNDC then went ahead to set up a four-level local government system made up of regional, district, area and town/village councils. In this scheme, District Assemblies (DAs) as provisioned by the 1988 PNDC Law 207 were mandated to make by-laws; a decision which triggered the formal devolution of political, fiscal, and administrative powers from central to local government systems and marginalized Chiefs by minimally consigning them to consultative roles.

With the cited arrangements in place, the PNDC conducted local government elections in the same year (Haynes 1991a; Ahwoi 2010). The elections, which indirectly turned out to be a popularity litmus test of the junta's proposals, indicated an overwhelming support for a franchise based democratic system. With an estimated registered voter turnout rate of 60 percent (90 percent in some rural districts), the exercise registered as one with the highest turnout rate of any election in the prior two decades (Ayee 1992; Crook 1999; Mohammed 2016). The successful launch of the Fourth Republic in 1993 (the most stable since 1957) is organically connected with this episode of the political evolution of the country. It counts as a concrete indicator that the Ghanaian population had acquired civic values which are crucial for democratic governance; a fact affirmed by the Constitutional provision to "make democracy a reality by decentralizing the administrative and financial machinery of government to the regions and districts and by affording all possible opportunities to the people to participate in decision-making at every level in national life and in government" (The Republic of Ghana Judiciary 2019).

Since the inception of the Fourth Republic, the decentralization process has gained traction and sophistication with a regular multiplication of (mostly unviable, see Olowu 2003; Resnick 2017; Agyemang-Duah et al. 2018) Metropolitan, Municipal, and District Assemblies (Mohammed 2015; Kwadwo & Mensah 2016). Government justifies the said multiplication as necessary in its efforts to strengthen the national local government agenda as well as accelerate socio-economic development while allowing active grassroots engagement with local politics, development planning and improved service delivery (Azanduna 2018). This again resonates with the Constitutional provision previously cited.

Decades of consistent institutional development and maturity notwithstanding, concerns

have been raised about the quality of the process (Ayee 2019). Debrah (2014: 51) for example notes that Ghana's experience with decentralization is characterized by an "abysmal performance of the District Assemblies" in that elites tend to be aloof from the masses and rural populace who are hampered in their abilities to articulate their concerns to government. In a similar vein, Ayee (1997) notes that Ghana's decentralization efforts have failed to yield optimal results since the limited resources of DAs hardly enabled the meeting of the heightened popular expectations which attended the setting up of Assemblies. He also asserts that only urban DAs or well-connected Assembly members can overcome financial grid locks and that those who resorted to local taxation to overcome revenue shortfalls risked triggering a backlash of local resistance. Yeboah-Assiamah (2016) also notes that the implementation of Ghana's decentralization agenda is constrained by a disconnection between the theoretical underpinnings of local government and the behavior of government incumbents.

The net effect of the cited tendencies resulted in what Ayee (2008: 233) refers to as a "recentralization of power and legitimacy" as well as the prevalence of administrative challenges such as low technical competence and morale of local government staff, lack of transparency and initiative, lack of leadership and autonomy in addition to inadequate and delayed budget disbursements (Inanga & Osei-Wusu 2004; Hoffman & Metzroth 2010; Amoako-Asiedu & Domfeh 2016; Abdul-Gafaru 2017).

To the extent that the observations surveyed capture the essence of the challenges of decentralization in Ghana, they fall short of rendering a historically contingent and contextualized political treatment of the DA process. Consequently, the authors lose sight of the fact that any policy of state, and for that matter decentralization, whether it succeeds or not is often settled without recourse to idealistic justifications, public pronouncements notwithstanding. Since the fate of policy rests with risk permutations and contingency hedging dictated by the rough and tumble of real-world politics, coalitions with vested interests rooted in the need to accumulate, retain and expand power will only implement ideals, if and only if, such ideals stand a good chance of not undermining core strategic interests: this is the basis of rational actor behavior.

Against this background, it is very likely that policy failures leading to sub-optimal outcomes and limited uptake of reform initiatives such as 'anti-corruption measures' (Kataoka n.d.; Chabal 2009), as detestable as they may be, cannot be insightfully explained with reference to normative standards as suggested by the choice of words of the authors cited. Rather, perspectives which can interrogate policy slippage as part of strategic political designs can decipher the deeper motivations for such outcomes and thus productively instruct interventions which can effect developmental course corrections. The urge to consider and treat political conditions of decentralization as mere government infractions therefore misses 'the political' in the nuances of deeply rooted power dynamics which work to shape the historical reality of local government in Ghana.

This said, decentralization as an ideal of public administration in the context of Ghana's evolutionary dynamics ought to be understood not as an end in itself, but as a means to political dominance. The next section rests on Mann's idea of *despotic power*, statement of method backed by relevant empirical facts to set the stage for an attempt to illustrate how state elite's strategic responses to the historic process of state formation has generated what is predominantly cited by scholars as the drawbacks of local government.

Theoretical Note, Method and Empirical Evidence: The *Despotic-Infrastructural* Continuum of State Power

Mann (1984, 1993) and others who have conducted confirmatory studies (Lucas 1998; Slater 2003; Higley & Burton 2006; Fortin-Rittberger 2014) have identified despotic and infrastructural power as the two main ways through which government seeks to project centralized power over their domains. Despotic power, mainly an attribute of authoritarian states, refers to the range of measures employed by government to engage civil society without recourse to routinized systems of negotiation and/or bargaining. Infrastructural power common to democratic states on the other hand, has to do with regimes of liberal collaboration between a government and civil society as geared toward the attainment of consensus in matters of public administration.

By and large, while despotic power refers to the imposition of *hard constraining power over society*, infrastructural power refers to the liberal propagation of *power through society* (Lucas 1998: 95). This said, the difference between despotic and infrastructural power is not so much about distinct categories; rather each indicates an extreme point in a continuum.

Nevertheless, whether government transmits despotic or infrastructural power, the intention has always been to enhance state capacity: the ability of government to effectively administer or regulate the political transactions of its territory in a stable manner. In concrete terms, this imperative is manifested as the enhanced extractive capacity of government to mobilize resources from society to pursue what is deemed to be in the 'national interest' (Darmanin 1991). The extractive capacity of government enables a coordinated quest for socioeconomic progress which in turn nourishes reverential expressions and loyalty by the citizenry due to the semiotic power of a state that comes across as keen in meeting the welfare needs of its people. This tendency feeds into the generation of consensus-based support systems for the state otherwise the state exerts coercion to secure the compliance/cooperation of the masses to maintain its integrity (Migdal 1989; Lindvall & Teorell 2017).

On method, this paper, based on a qualitative analysis of secondary material, is guided by the notion of relativism: an approach to analysis which admits the limiting effects of contextual pressures on the agency of actors (Villa 2010: 174). It is based on the belief that *reality* has no absolute properties and therefore cannot be deciphered with reference to universal standards but rather with attention to local logic, contextual pressures as well as actor rationality and ingenuity.

This said, Ghana until recently, just as every post-colonial African state, had a hard time calling on the habitual support of its populace (Rotberg 2010). The challenge of a deficit in popular loyalty to the sate resulted from shallow political consensus on the terms of association and the general perception of the state as illegitimate (see Clapham 1986; Harsch 1997; Berman 1998; Englebert 2000, 2002; Lund 2006; Hills 2008; Bayart 2009). Buzan's ideas (1983, 1984) is relevant at this juncture. He notes that states tend to be weak due to a deficiency in the *idea of the state*: the mythical conceptualization of the state in the mind of the people who inhabit its territory. As he explains, the idea of the state enables a population to express support and be willing to invest or sacrifice for the state. The said emotional affinity between the populace and the state result from psychological and ethical self-motivations rather than outright coercion. Be that as it may, the source of the idea of the state in the collective mind of the populace results from answers to two basic questions: first, why does the state exist? And second, what right does a state's leaders have to act on behalf of all others?

Buzan further notes that the first question has implications for *territorial legitimacy*:

an acceptance of the spatial dimensions of the state and the second for *governmental legitimacy*: an acceptance of the right of governing coalitions to administer the state on behalf the populace (Buzan 1983). From this perspective, even though all states by definition have populations, not all states have populations with civic values; an attribute that comes into being only when the two questions posed above are answered in the affirmative. Majority of Africans at independence answered to the two questions in the negative: they were not in agreement with the reasons why states were constituted at independence in the first place and by extension, the right governments to manage public affairs. States and governments were thus perceived by ordinary Africans with contempt and hostility and were therefore averse to be its citizens. This being so, African states have historically been described variously as fragile and unstable (Davidson 1992; Jones 2013; Herbst 2014), bereft of civic values (Ekeh 1975; Deng 1997) and with governments having a questionable claim to sovereign statehood (Reno 2000; Clapham 2009).

Given this, post-independent African populations shunned the state and rather gravitated toward ethnic polities, led by Chiefs/traditional rulers who by virtue of laying claim to being the natural representatives of their kin, stood out as preferred actors for obeisance and source of personal and group identity (Ake 1993). Chiefs therefore became the direct local rivals of state elites and challenged (even if symbolically) government's claim to hegemonic dominance. In certain cases, Chiefs sought to extend the numerical strength of ethnic groups to capture the state in the quest to dominate others. Such actions triggered the resistance of threatened groups who often embarked on irredentist initiatives (Elbadawi & Sambanis 2000; Mkandawire 2002; Mbaku 2018).

The sketched pattern of engagements made African states assume the character of ethnic group insecurity complexes (Rothchild 1995) like what pertains in a Hobbesian state of nature with a latent condition of 'war of all against all' (Kavka 1983). To embark on a decentralization of power in such a context will be a risky venture and tantamount to playing into the hands of political adversaries, with the certainty of government being annihilated. The political imperatives instructed by the said inclinations made state elites resort to politics of power centralization, coercive group control and the quest to neutralize non-compliant, rival constituencies.

The dawn of the post-Cold War Third Wave of Democracy (Haynes 1992; Ihonvbere 1996; Manning 2005) in Africa and its requirements of liberal governance rendered such raw projection of despotic power inappropriate and hence the need for the adoption of the infrastructural mode of power. The shift to infrastructural power did not, however, imply a complete negation of despotic domination. It was a blend of the two forms which became necessary because the dawn of democracy did not attenuate the rival motivations of Chiefs. This being so, there was the possibility that, even if theoretically, the electoral fortunes of political parties may be impacted, for better or worse, by the posture of traditional rulers.

In the specific case of Ghana, the fusion of infrastructural and despotic power was used against Chiefs in several ways. For example, Jonah (2003: 212) notes that Chiefs were politically marginalized through pragmatic subordination: the devaluation of chiefly power without recourse to ideology or coercion. This strategy worked in tandem with the setting-up a dependency regime through which the granting or denial development projects was contingent on whether Chiefs were loyal to the state. Also, the financial and political agency of DAs was linked to the discretionary power of central government. Specifically, the said dependency regime is structured around the District Assemblies Common Fund (DACF) set up by a 1993 Act of Parliament to finance local development projects cleared by the Minister of Local Government and Rural Development (Boakye & Ofori 2021: 20–27). Even though the DACF is disbursed according to a constitutionally provisioned

formula, government has moved to acquire discretionary powers to allocate funds through the enactment of laws such as the Earmarked Funds Capping and Realignment Act, 2017 (Act 947) and has in some instances acted in ways which are contrary to the DACF Act (Boakye & Ofori 2021: 22).

Through the dependency regime, central government projects despotic 'power-over' over Chiefs in ways which limits the scope of their agency and in effect whittles their statue down to vulnerable actors whose only option, if they wish to benefit from development finance, will be to implore and strive to be in the good books of central government (Knierzinger 2011: 22–24). Stretched to a logical conclusion, this dependency-based power asymmetry enhances the ability of political parties to micro-manage local contexts in pursuit of their electoral interests.

The forgoing, as an illustration of the general idiosyncrasies of state formation in Africa, has been a longstanding quest by Ghana's political party elites since independence. Being so, the next section, with decentralization in context, focuses on episodes of Ghana's political evolution to buttress the theoretical assertions made earlier.

The Politics of Decentralization in a Context of (in) Stability

Independent Ghana, in 1957, had a decentralized political system based on the Westminster model (Austin 1970). This structure, however, did not last. It crumbled under pressures exerted by religious and ethnic group agitations which preceded the attainment of statehood (Fitch & Oppenheimer 1966). Be that as it may, the basis of the agitations approximated Buzan's idea of a popular deficit in the *idea of the state* which persisted well into the 1970s. In concrete terms, Ghana had a population bereft of a civic culture. Therefore independence, presided over by the Nkrumah led Convention People's Party (CPP), was marked by Chiefs leading ethnic group constituted political parties to reject the Ghanaian state and by extension the legitimacy of the CPP to govern. Hence independence inaugurated an era of crisis induced by an imbalance of affinity between the nations which constituted the state. The politics of the crisis is the focus of the next section.

Crisis of the Nation-State Imbalance, Instability and the Projection of Despotic Power

To begin with, the Togoland Congress (TC) formed in 1951, embarked on an irredentist agenda with the ultimate intention of uniting the Ewe nation split in two by the Ghana-Togo border. The TC's political initiatives was based on the anxiety that, were Ghana to attain independence with a unitary state, a major demand of the CPP, the Ewe people will be permanently divided between Ghana and Togo with the consequent loss of autonomy (Brown 1982; Amenumey 1989; Nugent 1996; Yayoh 2013). There was also the Muslim Association Party, which sought to create an autonomous political constituency out of Moslems in the county and in the process use the tenets of Islam to challenge the secular basis of the state (Allman 1991; Misbahudeen 2006). Another agitant, the Northern People's Party first demanded the evening out of the development gap between the northern and southern parts of the country and if this should fail, preferred to remain a colony of Britain and not part of independent Ghana (Ladouceur 1979; Lentz 2010). The National Liberation Movement (NLM) was another ethno-regional political party formed by Ashanti nationalists who thought that the political and economic progress of the Ashanti nation will

be endangered by a unitary state under the Nkrumah led CPP (Allman 1990). Finally, the militant *Ga Shifimo Kpee* 'the *Ga* Steadfast Association' inaugurated in the year of independence, 1957, was made up of a disillusioned section of the *Ga* people who thought Ghanaians of other ethnic extractions were annexing the ancestral lands of the *Ga* people (Quarcoopome 1992). The cited groups were embedded in the four regions which constituted the state at the time of independence. Only the CPP's mobilization efforts cut across all regions, ethnicities and religions.

The political passions of the militant groups which peaked with political a showdown in 1954, was triggered in 1951 when the British colonial government embarked on liberalization in preparation for independence. As noted by Fitch and Oppenheimer (1966: 32–52), it all began with the CPP promising, during campaign prior to elections in 1954 to increase the price of cocoa beans if it was given the mandate to govern. Even though it won the elections, the CPP government did the opposite. Rather than increasing the price of cocoa beans, as promised, the price paid to farmers was pegged at seventy-two shillings per sixty pounds for a period of four years. This action incensed Ashanti cocoa farmers who were embittered simply because during the 1951/52 season they were paid forty-four pounds. The aggrieved farmers were of the expectation that government could pay between five and seven pounds per ton at the time when the world market price had increased over four hundred and fifty pounds a ton (Alence 1990–1991; Danquah 1994). The agitants were made up of a coalition of farmers, the Ashanti Youth Association, disaffected C.P.P. members of Ashanti extraction, the then Paramount Chief of Ashanti 'Asantehene' and his Council, came together to form the NLM in 1954. This group consequently upped its political anti and extended its protestations beyond cocoa prices to demand a maximum devolution of power to regions within a federal state.

In 1955, the cited groups formed a resistance coalition against the CPP and rallied around a call for a national revenue sharing formula expressed in a 1955 document called *Proposals for a Federal Constitution* which stated, *inter alia*, that: "applying ... the principles of derivation and population in the division of cocoa only, the Colony shall be entitled to thirty-five percent, Ashanti and the Northern Territories, twenty-seven and half percent and Togoland, ten-percent" (Brukum 1998: 25).

By the time of scheduled elections in 1956, it had become all too clear that the politics of the emergent state will be defined by malice and intrigue of opponents (Davidson 1992: 104; Ishemo 1995; Kortenaar 2000). The euphoria of independence in 1957 did not ease the ensuing antagonism and entrenched positions; it rather intensified to such an extent that the country, fragile and fractured, was entrapped in a self-destruct mode with its government embarking on a single-minded effort to liquidate groups whose existence threatened stability (Chazan 1982; Pellow & Chazan 1986; Azarya & Chazan 1987; Bening 2012).

Indeed, the situation at the time approximated a Gramscian state of crisis where a political vacuum was created as a result the old British colonial order phasing out without it being replaced by a well constituted Ghanaian state. The said political vacuum was thus filled, in Gramscian terms, with "morbid symptoms": open political violence, outbreaks and manifestations of mass discontent as well as the rise and acceptance of extreme political positions (Babic 2020: 773). As covered in the next section, the crisis dictated the political options the CPP government adopted to avert full blown anarchy.

Governing the Predicament: Despotic Power Unveiled

To sustain the ideal of decentralization as provisioned in the 1957 Independence Constitution in a context of political extremism will have implied the government-under the stewardship of the CPP-ceding political power to rebellious and revisionist local actors, an action which will have been akin to committing political suicide. The reality of the times therefore required that the CPP restrict the agential capacity of ethnic, region and religious based parties (Fletcher-Cooke 1964; Okogu & Umudjere 2016) with the hope that the state will be stabilized and made cohesive with an enhanced capacity. Hence, with control over majority of seats in the legislature, the CPP government abolished Regional Assemblies provisioned in the 1957 Independence Constitution. Further, in 1958, beginning with the Avoidance of Discrimination Act (ADA), the government gradually but comprehensively dismantled political parties formed along ethnic, regional and religious lines (Drah 1992). The actions of the government were so intense to such an extent that by 1960, when the First Republic was inaugurated, sub-national units of local government had lost all the autonomy provisioned in the 1957 Independence Constitution. For example, the government forcibly appropriated land for state farms and other industrial projects with legislations[1] such as the Akim Abuakwa (Stool Revenue) Act, 1958 (Act 78), the Ashanti Stool Act, 1958 (Act 28), the Administration of Lands Act, 1962 (Act 122), and the State Lands Act, 1962 (Act 125) (see Rathbone 2000; Obeng-Odoom 2016: 667). These initiatives directly undercut the symbolic and material basis of the power of traditional rulers in the wealth generating activities of the state and by that ruined them economically. This in turn adversely affected their ability to raise the needed finance to, as it were, oil the machinery of their political resistance against the CPP.

With its hegemony established and with all its contenders either coopted, terrified or liquidated, the CPP consolidated its hold on power through unilaterally managed electoral exercises and went on to impose its vision of instituting a socialist state (Runciman 1963). By 1960, Chiefs had virtually lost every element of the limited earlier autonomy they had left (Rathbone 2000) and had become supplicants of Nkrumah and the C.P.P. The loss of autonomy, however, did not mean local political initiatives of resistance to the state had been crushed. Indeed, resistance festered well into the 1970s, by which time leaders of ethnic groups had entered into informal collaborations with sections of the military who staged coup d'états (Austin 1966; Chazan 1978; Hettne 1980; Frimpong-Ansah 1991; Ametewee 2007: 32–38).

Lull in the Crisis: Flexible Despotic Power and Political Stability

Until the dawn of the PNDC in 1981, no government held on to power long enough to initiate and sustain any effective decentralization and local governance program (Ninsin & Drah 1987). This fact was not lost on the PNDC when it launched its decentralization agenda; it was obvious that the political pressures which led to a roll back of decentralization programs were still active and driven by logics similar to the pre-independence pattern of local based political actors who yearned for power and autonomy to compete with government. Given this, a realistic assessment of the political context led to the conclusion that local government ought to be tweaked to contain subnational resistance to the state, attain stability and enhance the capacity to align sub-national interests with that of the state.

Hence, as noted by Ayee (1992), the PNDC government initiated a program of

decentralization similar to that of previous governments but devoid of the transfer of real political authority to the local level. In theoretical terms, this required an initial *flexible* projection of despotic power. Flexible, as used here, is a blend of autonomy enhancing 'power to' and constraining 'power over' (Göhler 2009) which concretely manifested as government initiating consultations and elections on minor political issues with the reserved right to ultimately impose its will even against the expressed wishes of the constituencies mobilized to be consulted (Oelbaum 2002).

At the superficial level, the agenda and strategy of the PNDC had external dimensions since it resulted from its close neoliberal collaboration with the Bretton Woods Institutions of the International Monetary Fund (the IMF) and the World Bank which provided the resources as well as the insulation needed by the PNDC to undertake the politically risky project of formally demobilizing and purging workers concentrated in the public sector under an Economic Recovery Program (ERP) (Tangri 1999; Lockwood 2006). The purging of workers was executed through the *redeployment* 'laying off' of state employed labor and the *divestiture* 'sale' of State-Owned Enterprises (Bank of Ghana 2005).

As a direct consequence of the PNDC's association with the Bretton Woods Institutions, it lost is its populist appeal to workers who adopted a hostile posture because they felt betrayed by the regime (Haynes 1991b; Panford 1994). Given this loss, the junta had to substitute the support of workers with that of the general citizenry in order to sustain its hold on power. Yet, the broad social context of the citizenry was, and still is, the power base of traditional rulers whose kinsfolk had been laid off. The conundrum which ensued put the PNDC regime in a strategic dilemma. This observation is germane to deciphering Ghana's experience with decentralization and is therefore further elaborated in the subsequent section.

The PNDC and Chiefs in the Context of Decentralization: Veiled Despotic Power and Consociational Truce

As already indicated, Chiefs in the post-independence era, sought to rival governing elites by invoking pre-colonial systems of legitimacy and authority often with reference to ancestral mandates (Pobee 1987; van Rouveroy van Nieuwaal 1996; Mahama 2009). Indeed, traditional rulers often portray(ed) themselves as the ever-present, dependable and natural providers of security, impartial adjudicators of disputes and transparent enforcers of property rights. Chiefs even laid and still lay claim to be sacred actors who played the role of being the direct cosmological link between the dead founders 'the ancestors' of a lineage and the living (Busia 1951; Ubink 2008; Ofori Panyin 2010). Unlike government elites who often seemed distant and disconnected from the sacred and secular aspirations of ordinary people, traditional rulers had a bountiful reputation as legitimate authorities. When it therefore came to commanding the habitual obeisance of the populace, government elites were hard pressed to match the political stature of Chiefs. The PNDC given its precarious political condition therefore sought to tap into the soft power, so to speak, of Chiefs to shore up its fortunes.

Chiefs, indeed, survived the pressures of government between 1957–1981 and became a rival power bloc to government (Ray 1996) thanks to their perceived attributes as unblemished leaders in the collective mind of the populace. In the quest to lavage the power of Chiefs however, the PNDC calibrated a scheme to coopt and but also withhold their power, agency and autonomy in order to eliminate the dangers of rivalry. The junta implemented the said strategy by unilaterally setting up a Consultative Assembly (CA) with

a mandate to put together a constitution for democratic governance. The CA was chaired by a Chief and made up of a significant number of Chiefs or would be Chiefs "...who appear to have guided state policy back to a 'hands-off' position...." (Ray 1996: 190). The CA's proposal of a Consociational (power sharing) constitution, accepted by the PNDC, among others, granted political autonomy to and explicitly placed a ban on government interference in chieftaincy affairs. Further, the constitution made a provision for a National House of Chiefs with sub-units at the regional and local levels of state. Chiefs by these provisions were therefore made customary sovereigns. Be that as it may, the constitution also banned Chiefs from publicly declaring, endorsing political parties or standing for elections (see Basedau & Moroff 2011; Comparative Constitutions Project 2012: 111–115). This is the essence of the Consociational truce consummated between government and Chiefs at the inception of the Fourth Republic.

The said Consociational truce, however, confers different types of agencies on government/political party elites and Chiefs. While the former has access to manifest and inert strategic agential power (Yarger 2006), the latter is endowed with tactical agential capabilities (Bruins 1999). Manifest strategic agential power, mainly utilized by government, is conferred by elections and therefore derived from the Presidency. Inert strategic agential power on the other hand is accessible to political parties in parliament opposed a sitting President's party. The difference between the two is that while the former is the actual utilization of state power, the latter is used by political parties to tout their status either as a former or potential future occupant of the high office waiting to convert its inert capabilities into manifest power. The latter therefore gives its wielders political appeal and negotiating chips with Chiefs even though they may not be in possession of state power rooted in the Presidency. Be that as it may, manifest strategic agential power even though embedded in a democratic setting, is veiled despotic power or an uneven blend of (more) despotic and (less) agential power.

Henry Kwasi Prempeh's point about the *imperial* character of Ghana's Presidency points to the said manifest strategic agential power of government. According to him, the executive branch of the Government of Ghana apart from being *imperial* or *hegemonic* is endowed with substantial discretionary power which insulates the Presidency from vertical and horizontal democratic oversight from sub-state actors including, in this context, Chiefs. As he put it, the President whiles he remains in office, "is literally the monarch of all that he surveys and that no public issue seems too big or too small for his attention." Citing the powers vested in the Presidency by the constitution to buttress his point, he notes further that the president is...

> one and the same time the nation's *chief lawgiver* (upon whose sole initiative all laws in the land are made and unmade); its *chief financial* controller (who controls the nation's purse strings and the manner of its allocation); its *Chief personnel director* (who can summarily make and unmake all manner of public carriers, high and not too high); its *chief landlord* (in whom is vested all public lands and the power of eminent domain); its *chief patron* (who dispenses all manner of largesse and benefits, from car loans to MPs to lucrative public contracts); its *chief deal-maker and breaker* (who makes and unmakes investment and other commercial contracts); and its *chief grievance solver* (on whose desk all public grievances that have any chance of quick resolution must land)" and last but not least its *chief local governor* (whose commands issued directly or through local agents reach every corner of his sovereign estate) (Prempeh 2010: 14).

Germaine to the burden of this paper, Prempeh historically situates his observation by

noting that the said imperial nature of the presidency under the Fourth Republic is not unique to the current dispensation and that it has been an enduring quest of all governments since 1957 and as such has deep roots in the earlier phases of Ghana's evolutionary process.

The veiled despotic structure or the manifest strategic agential power of Ghana's Imperial Presidency casts a long restrictive shadow over the specific legal provisions of local government. For example, Article 240 (e) of the Fourth Republican Constitution stipulates that "to ensure the accountability of local government authorities, people in particular local government areas shall, as far as practicable, be afforded the opportunity to participate effectively in their governance" (Comparative Constitutions Project 2012: 111). This provision is hemmed-in by the 1994 National Development Planning (Systems) Act (Act 480) which through the Local Governance Act 936 of 2016 (LGA2016) mandates the National Development Planning Commission (NDPC) "to determine the compatibility of district development plans with national development objectives" (Government of Ghana 1994; Government of Ghana n.d. b).[2] This legal regime implies that, notwithstanding the spirit of Article 240(e), the mandate given the NDPC by the LGA2016 has a constraining effect on local actors given the imbalance of power skewed in the favor of government. This is much more so when the head of the NDPC, the Chair, is a political appointee of the President (Comparative Constitutions Project 2012: 50) and thus is a sentinel of the high office.

Further, Article 241 (3) of the 1992 Constitution states that a "District Assembly shall be the highest political authority in the district, and shall have deliberative, legislative and executive powers" (Comparative Constitutions Project 2012: 111). This provision is also hamstringed by the Constitutional requirement that a District Chief Executive, appointed by the President, shall preside over meetings of the Executive Committee of an Assembly, be responsible for the day-to-day performance of the executive and administrative functions of same and be the chief representative of the Central Government in a district (Comparative Constitutions Project 2012: 112). Apart from sidelining traditional rulers, who are *bona fide* non-partisan actors and whose status is in line with the non-partisan intent of local governance principles as provisioned by the constitution, this arrangement directly inserts the President into a local government context for purposes of centralized political micro-management.

To be sure, Section 37, sub-section 1 of the LGA2016 empowers the President to...

> [D]eclare a District Assembly to be in default of its functions by Executive Instrument if it is in the public interest to do so and may (by the same or another Executive Instrument a) direct the District Assembly on how to perform any of its functions within the time specified in the Executive Instrument; or b) transfer to a person or body the performance of any of the functions of the District Assembly in default specified in the Executive Instrument (Government of Ghana n.d. b: 33).

Even without the President exercising this mandate, the legislative autonomy of DAs is limited by Section 182, sub-sections 1–3 of the LGA2016 (Government of Ghana n.d. b: 84–86) which requires DAs to forward all by-laws to their respective Regional Coordinating Councils (RCCs) for approval or otherwise. RCCs are manned by Regional Ministers appointed by the President and includes two traditional rulers without the right to vote on issues (Government of Ghana n.d. a: 86). Incidentally, traditional rulers' membership of the RCCs is the only formal link they have with the local government system.

As sketched, the despotic undercurrents of Ghana's local government system is a consciously engineered architecture borne out of the history of political rivalry between traditional rulers and government; a fact which has been amply noted by Nana S.K.B.

Asante, a traditional ruler and Chair of the Committee of Experts (CE) who drafted the 1992 Constitution (Parliament of Ghana n.d.). He pointed out that the PNDC rejected proposals to make traditional rulers the fulcrum of local government; a decision which he notes resulted from the long history of suspicion and rivalry preceding independence. As he put it...

> [T]he current Constitution and other formal structures of governance have marginalized Chiefs not only at the level of national government, but also at the level of local government. Whatever the rationale may be for excluding Chiefs..., there is no justification whatsoever for imposing any constitutional and legal prohibitions or limitations on the participation of Chiefs in all aspects of local government (Graphic Online 2019).

The forgoing is not to suggest that Chiefs are completely marginalized vis-à-vis government. To be sure it's been observed that Article 270 of the Fourth Republican Constitution (which grants autonomy to Chiefs) amplified with the 2008 Chieftaincy Act 759 has led to the reemergence of chiefly power as an autonomous tendency (Ubink 2008; Kleist 2011; Holzinger et al. 2020) which technically makes Ghana a dual sovereign democracy (Ray 1996). This notwithstanding, the political capacity of Chiefs is encased in the previously cited Consociational truce which confers tactical agential powers: the ability to engage in (formal and informal) horizontal bargains and consultations within closed networks for the general governance of issues of mutual/national interest.[3] The tactical agential power of Chiefs is however limited in terms of its scope of projection to only traditional or customary issues and therefore not as fungible as the manifest strategic agential power of government. It is in this sense that Chiefs are relatively marginalized.

Against the foregoing one may ask why given the capacity that comes with wielding 'imperial manifest strategic agential power' administrative challenges of decentralization persist much more so when that same capacity is single mindedly applied to other imperatives such as elections management? Perhaps it may be a matter of priority in the face of limited resources. However, this does not obviate the likelihood that the persistence of decentralization drawbacks confers political dividends on government: a deepened system of decentralization, over the long run, risks evening out, to the loss of government, the imbalance between the manifest and tactical dimensions of strategic agential power. Given that the current imbalance and the imperative of stability has historically been an enduring quest of government elites, it is not likely that the skewed axis of power between government and Chiefs, maintained through local authorities deprived of resources, will be disrupted in pursuit of decentralization for its own sake. If anything at all, the extent to which government will deepen decentralization will be contingent on how interventions reinforce the uneven distribution of power, hem-in the rival agency of Chiefs and by extension reduce the level of risk it poses for democratic stability.

Be that as it may, the constitutionally guaranteed Consociational truce and its associated attributes of power as enumerated defines the current locus of Ghana's democracy. This said, in the spirit of the democratic aspirations of the country and against the backdrop of poor results from foreign aid programs to deepen decentralization through enhanced autonomy for sub-state actors (see for example Rondinelli, Nellis & Cheema 1983; Crawford 2009), one will urge a rethink of strategies to expand the frontiers of liberal governance. Rather than partnering with government, aid agencies may consider partnering with Chiefs to upgrade the compelling power of their tactical agency. The viability and basis of this proposal is demonstrated in the next section.

Extending the Frontier of Ghana's Democratic Locus: Chiefs, Development Agency and Decentralization

The pressures exerted by government does not seem to have deterred Chiefs form perceiving themselves as agents of human progress and have as a result harnessed their own agency to better the lot of their kinsfolk through solidarity initiatives such as Farmer Based Organizations (FBOs), *Susu groups* 'non-bank savings clubs', 'development festivals', community-based scholarship schemes, ecological sustainability projects, granting of land for development projects among many others (see Knierzinger 2011). And it seems this function is well received by the citizenry. A study conducted by *Afrobarometer* (see Sanny & Asiamah 2020: 17) indicated that a substantial majority of Ghanaians (69%) perceive Chiefs as wielding significant powers of influence in local government. This pattern of response cuts across demographic categories such as young adults (67%), economic status (73% for the economically secure against 63% for the insecure), and level of education (71% for both secondary graduates and people with no formal education) (Sanny & Asiamah 2020: 7).

The cordial working relationship (58% of respondents testify as such) between Chiefs, kinsfolk and local government officials in the resolution of local challenges may be rooted in the cited responses: the report indicated that Chiefs come second to local government authorities as the most consulted (Sanny & Asiamah 2020: 5). Indeed, in contrast to 27% who detect a competitive working relationship, 33% "very strongly agree" that cordiality is a dominant pattern of interaction (Sanny & Asiamah 2020: 6). It therefore comes as no surprise that nearly half of respondents (Sanny & Asiamah 2020: 8) prefer the power of Chiefs to be increased. These findings confirm the theoretical expectation of *perceived power fungibility* which posits that when people think that power will be invested to improve their conditions of existence rather than deprive them of same and thus perceive public officials as trustworthy fiduciary agents, they will be willing to grant them more power (see Lee 2012).

In a nutshell, an enhancement of the agency of Chiefs to expand and sustain their local initiatives, will set local standards with which the electorate may assess the responsiveness of Local Assemblies to their human security needs. Indeed, in the event that the development capabilities of traditional rulers are perceived to surpass that of DAs, it will become a liability for political parties to ignore and for fear of losing elections, may be compelled to match and support the development capacities of Chiefs. This tendency overtime will push forward the responsiveness of government to local development aspirations and by that extend the frontiers of democratic development through decentralization. Development partners, through direct collaboration with Chiefs will therefore be in partnership with ordinary people, the ultimate beneficiaries of decentralization.

Conclusion

This paper, anchored in Mann's notion of despotic power, demonstrated the analytical limitations of the dominant normative treatment of local government in Ghana as an end in itself, rather than a means to a political end: political party/state elite domination. Guided by the tenets of relativism, decentralization is contextualized within the country's history of post-independence instability (triggered by rivalry between Chiefs and state elites) and the stability of its Fourth Republic. The point was made that rather than challenges of local

government being normatively attributed to government mediocrity and incompetence as most scholars are prone to, they ought to be understood as outcomes of a deliberate despotic strategy by government to hem-in the dangers posed by petty chiefly sovereignty. The paper proposed that aid institutions, through local collaboration with Chiefs can enhance decentralization and, in the process, extend the current locus of democracy in Ghana beyond the existing Consociational truce between Chiefs and government as defined in the constitution of its Fourth Republic.

Notes

(1)   See Asante (1965) and Kasanga & Kotey (2001) for a comprehensive perspective on the system of laws enacted in this respect.

(2)   See section 86, sub-section 3 (a) and (b) of the 2016 Local Governance Act for comprehensive details.

(3)   The Constitution of the Forth Republic provisions for a Council of State, which includes the President of the National House of Chiefs, with the mandate to, among others, consider and make recommendations on any matter being considered or dealt with by the President, a Minister of State, Parliament or other authority (see Comparative Constitutions Project 2012: 52–55, especially Article 91(3)).

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