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### ***Competitive clientelism and the politics of core public sector reform in Ghana***

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## **Abstract**

Although Ghana has implemented several donor-sponsored public sector reforms (PSRs) in an attempt to improve core areas of state functionality, the impact of such reforms remains generally disappointing. In this paper, we show that the nature of the political settlement in Ghana, described as one of 'competitive clientelism', is central to understanding the country's limited success in improving the effectiveness of public institutions. Faced with a credible threat of losing power to excluded factions in competitive elections, reform initiatives tend to be driven largely by the logic of the maintenance of ruling governments, rather than by their potential to enhance the effectiveness of state institutions. This has often resulted in decisions that undermine reform efforts, ranging from needless and costly institutional duplications to the politicisation of the bureaucracy through patronage-based appointments, and the wholesale removal of public servants perceived to be associated with previous regimes. In this political environment, policy discontinuities across ruling coalitions are a norm, undermining the impact of reform initiatives that require a longer-time horizon to bear fruit.

**Keywords:** Ghana, political settlements, governance, institutions, public sector reform

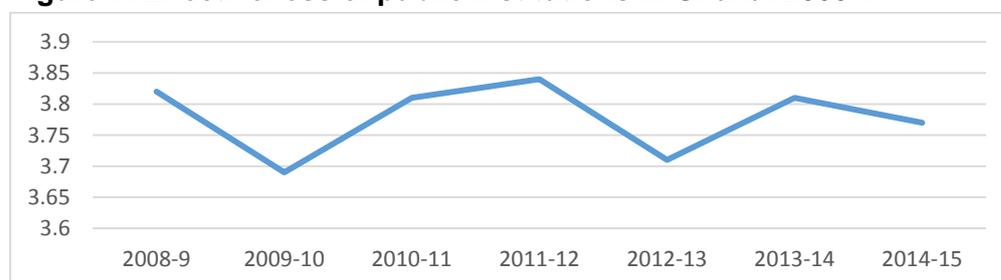
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## Introduction

In the early post-independence period, Ghana's public institutions were hailed as one of the best and most efficient in Africa (Apter, 1963; Wereko, 2009). Following the military overthrow of the Nkrumah-led government in 1966, the effectiveness of public institutions began to decline steadily. Despite waves of largely donor-funded public sector reform programmes during the past three decades, most public sector institutions remain largely ineffective. The historical dataset of the Global Competitiveness Index shows that between 2008 and 2015, Ghana was unable to improve the effectiveness of its public institutions. Figure 1 below shows the performance of public institutions in Ghana, on a scale of 1 (best) to 7 (worst performance), in protecting property rights, promoting corporate ethics and anti-corruption, curbing undue influence, ensuring government efficiency and providing security.

**Figure 1: Effectiveness of public institutions in Ghana: 2008-14**



Source: World Economic Forum – Global Competitiveness Index Historical Dataset, 2005-14.

Our analysis shows that the nature of the political settlements in Ghana, described as one of 'competitive clientelism', is central to understanding Ghana's limited success in improving the effectiveness of public institutions. There is often a lack of continuity in reform implementation during regime changes, with the result that the envisaged longer-term effects of reforms are either lost or negligible at best. Thus, faced with a credible threat of losing power to excluded factions in competitive elections, reform initiatives are not necessarily motivated by the quest to enhance the performance of state institutions; instead, they are driven by the strategic incentive to maintain power by ruling coalitions. This has had adverse consequences for the efficacy of reform initiatives, evidenced in superfluous institutional duplications, the politicisation of the bureaucracy through patronage-based appointments, and the wholesale removal of public servants perceived to be associated with previous regimes.

The analytical narrative is based on primary and secondary sources of information obtained from semi-structured interviews with 45 relevant actors (including past and current public servants and key public organisations),<sup>1</sup> interviews with officials of civil society organisations, the administration of questionnaires to officials performing public procurement functions (80 respondents in 18 ministries), and documents from public agencies and international development organisations. The study also used

<sup>1</sup> See Appendix 2 for the list of the actors and organisations.

field-notes taken from workshops and forums organised by the Internal Audit Agency, Public Sector Reform Secretariat, and the Office of the Head of Civil Service. External assessments of the performance of the public sector undertaken by research organisations over time were also used to complement our data. The study also benefited from interviews and documents provided by public officials during the 2016 DFID-Ghana annual review of the DELIVER project,<sup>2</sup> which seeks to improve coordination in policymaking and delivery. The data obtained from that project review have not been quoted in this report, due to confidentiality agreements. Finally, it is important to state at the outset that, given the very broad nature of what is often regarded as ‘the public sector’ (hereby defined as referring to the organisational arena of the state), the analysis in this paper focused on five core country systems that most public sectors need to achieve if they are to be effective: coordination; public service management; public financial management; auditing; and anti-corruption.

By ‘public sector’ we simply mean the organisational arena of the state (Levi, 2002). Following North (1990), we define institutions as the humanly devised rules that structure political, economic and social interaction. The general analytical distinction between ‘formal’ and ‘informal’ institutions developed by North (1990) is also employed for our analysis. Informal institutions are the unwritten social norms that regulate human relations (e.g. conventions, customs, patron-client relations); and formal institutions refer to the written rules (e.g. written constitutions, parliamentary enactments). The paper is arranged as follows. Section 2 presents the theoretical framework of the paper, drawing from the emerging literature on political settlements. Section 3 discusses the nature of the political settlements (PS) in Ghana, in order to lay a basis for understanding the impact of the PS on public sector reforms. Section 4 explores the impact of Ghana’s political settlement dynamics on the implementation of PSR, focusing on the five key ‘PSR nodes’ of coordination, civil service management, public financial management, auditing, and anti-corruption. Section 5 concludes the paper and highlights some policy direction.

### **Politics of public sector reforms: Insights from political settlements theory**

Scholars generally agree that variations in institutional quality are fundamental to understanding variations in development performance (North, 1990; Evans and Rauch, 1999; North, et al., 2009; Fukuyama, 2011; Bukenya and Yanguas, 2013). However, disagreements remain regarding the question of why some countries succeeded in making the transition from informal patron-client structures of rule to impartial Weberian institutions of rule and capitalist transactions, while many developing countries have not. Some scholars have emphasised the crucial role played by the propagation and enforcement of religion-based ideas and ‘other-worldly sacred values’ (Weber, 1978: 959) of individual human rights, individual property rights, impersonality, and rule of law that became the conveyor belts for

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<sup>2</sup> The full title of the project is ‘DELIVER: Support to Office of the President Policy Delivery Unit and Cabinet Secretariat’ (see more at <https://devtracker.dfid.gov.uk/projects/GB-1-204483/>).

capitalist transformations, economic growth and development (Weber, [1922] 1978; Blyth, 2002; Fukuyama, 2011). Fukuyama (2011: 442) argues that 'It is impossible to develop any meaningful theory of political development without treating ideas as fundamental causes of why societies differ and follow distinct development paths'. On the bedrock of social ideas and shared values, some social scientists have emphasised the role of cultural beliefs as the crucial factor that makes almost all the difference in the economic and political performance of countries (Harrison and Huntington, 2000; Greif, 2006). In contrast to the ideational-cultural hypothesis, Acemoglu and Robinson (2012: 57) insist that 'those aspects of culture often emphasized – religion, national ethics, African or Latin values – are just not important for understanding how we got here and why the inequalities in the world persist'. Acemoglu and Robinson (2012) argue that what matters most in the historical emergence of the advanced economies is a shift from 'extractive' political and economic institutions that concentrate benefits in the ruling elites to 'inclusive institutions' that distribute political and economic benefits to the broad majority of citizens. This argument finds broad support in another influential work by North et al. (2009), who referred to this shift from extractive to inclusive institutions as a transition from 'closed access orders' to 'open access orders'. Why only a few countries have been able to shift from extractive institutions to inclusive institutions, while African countries have not been able to do so, is hotly contested. Recently, Acemoglu and Robinson (2016: 41) have suggested that 'One type of distinction which we believe is critical for determining the potential of different societies [is] ... the strength and nature of social norms and informal institutions'. The turn to social norms leans towards the ideational-cultural hypothesis.

The dominant analytical framework used by scholars to explain the inability of African countries to promote economic development, democratic governance, and quality legal-rational institutions is generally referred to as neopatrimonialism (Englebort, 2000; Erdmann and Engel, 2007; van de Walle, 2007; Pitcher et al., 2009). Neopatrimonialism describes the dominance of patron-client relations of power and resource distribution in a modern state that simultaneously seeks to regulate social, economic and political relations through formal legal-rational institutions. The analytical concept of neopatrimonialism is an extended version of Max Weber's concept of patrimonial rule (or patrimonialism), referring to traditional societies where the distribution of power and resources by political rulers is grounded in 'the subject's claim to reciprocity, and this claim "naturally" acquires social recognition as custom' (Weber, 1978: 1010). The critical element in patrimonialism is the existence and functional purposes of patron-client relations, where the patron distributes power and resources to their clients (or subjects) in exchange for the client's loyalty, support and obedience. We accept the view of Pitcher et al. (2009: 139) that 'Using current terminology, we might say that patrimonial legitimacy (or domination) is institutionalized and grounded in rules that are broadly shared and understood but not, or not sufficiently, codified in law'. But it would be misleading to read Weber's conception of patrimonialism as equivalent to broadly shared cultural values or informal institutions. For emphasis, the critical element in patrimonial systems of rule

is the creation and functional purposes of patron-client relations, networks, and structures of reciprocity between political elites and their clients.

Patrimonialism in traditional societies stood in sharp contrast to impersonal legal-rational institutions found in advanced capitalist societies. In advanced capitalist societies, where political and economic decision-making are governed by legal-rational institutions,

It is decisive for the modern loyalty to an office that, in the pure type, it does not establish a relationship to a person, like the vassal's or disciple's faith under feudal or patrimonial authority, but rather is devoted to impersonal and functional purposes. These purposes, of course, frequently gain an ideological halo from cultural values (Weber, 1978: 959).

Thus, the effectiveness of formal legal-rational institutions in developed countries is partly due to their embeddedness in complementary, rather than competitive or contradictory, broadly shared cultural values and norms (Helmke and Levitsky, 2006; Scott 2008; Ingraham, et al., 2008; Fukuyama, 2011; Andrews, 2013). But the key point is that informal patron-client relations of resource distribution undermine the important element of impersonality that underpins Weberian legal-rational institutions. Consequently, reforms to remove informal patron-client institutions in Africa's expanded public bureaucracies are widely seen by donor agencies and scholars as a prerequisite for economic development and democratic governance (Brinkerhoff and Goldsmith, 2002; van de Walle, 2007).

Some scholars have explained the persistence of patron-client structures in neopatrimonial states in terms of the absence or weakness of democracy (van de Walle, 2007). In Ghana, after two decades of democratisation, neopatrimonial theorists argue that

Vote buying, jobs for the boys, schools being built in key constituencies in the weeks before elections, party finance scandals, corruption scandals in the press, influence peddling in the legislature – all these things should not be celebrated, sure, but they do mean that Africa is becoming less neopatrimonial and more democratic (van de Walle, 2007: 13).

In contrast, other scholars point out that the promotion of democratisation in African countries like Ghana has only succeeded in forging consensus among political elites and citizens on how to select who will govern through peaceful elections; but, on the other hand, 'the neopatrimonial form of political rule has not diminished with the introduction of democracy. Rather, there are some indications that it has actually regained strength and intensity with the establishment of a multiparty system' (Lindberg, 2003: 123).

Kelsall and Booth (2010: 27) have noted that recent research works on political settlements (Booth, 2015; Khan, 2004; 2005; 2010; Levy, 2014; 2015) 'represent

useful first steps to advancing' our knowledge of how different political contexts of patron-clientelism enable or constrain political leadership (and their partners) in processes of legal-rational institution-building and economic development. In this paper, we draw insights from the emerging literature on political settlements to explain why Ghana has achieved limited success in reforming its public sector. An important contribution of Khan's theory of political settlements is the primacy it accords the organisation of internal structures of power-holding groups to support the transformation of informal clientelist structures into formal Weberian institutions supportive of capitalist growth and democracy.

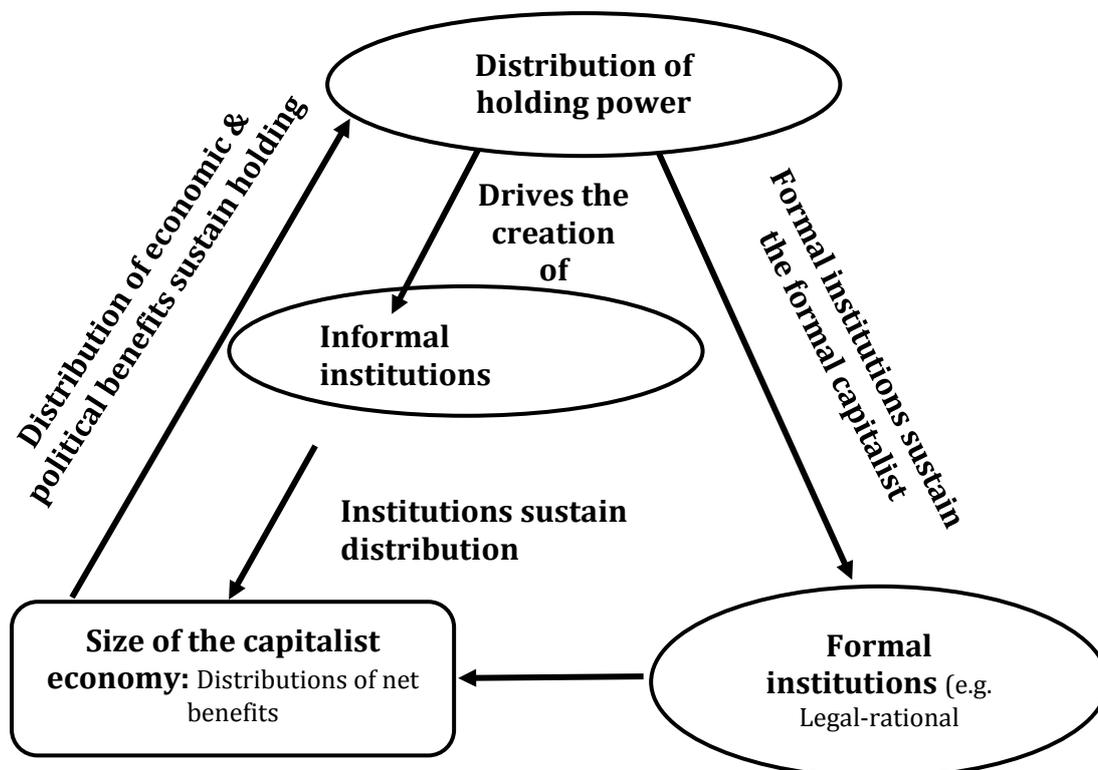
According to Khan (2010), a political settlement is 'a combination of power and institutions that is mutually compatible and also sustainable in terms of economic and political viability'. Central to Khan's political settlement theoretical framework for explaining the persistence of patron-client structures, and the transition from patron-client structures of rule to formal legal-rational institutions, are two key factors: first, the nature of the organisation of power between groups 'holding power', other social groups contesting the distribution of power, and resources in the society; and, second, the size of the capitalist economy to support the transition from informal patron-client structures to formal legal-rational institutions (Khan, 2004; 2005; 2010). The concept of 'holding power' is 'defined as the capability of an individual or group to engage and survive in conflicts' (Khan, 2010: 6). A political settlement 'emerges when the distribution of benefits supported by its institutions is consistent with the distribution of power in society, *and* the economic and political outcomes of these institutions are sustainable over time' (Khan, 2010). Khan (2010: 61) points out that no advanced country organised the process of transition from patron-client structures of administration to

successfully institutionalizing a bureaucracy that would pass the test of impersonality and modernity ... without significant incomes generated by a formal modern sector that are sufficient to pay for the enforcement of a general rule of law as a public good.

Khan (2010: 20) argues that successful reforms would require a 'minimum level of economic and political viability necessary to keep that institutional structure together. Economic viability requires the political settlement to achieve sufficient economic performance to avoid an economic crisis'. Figure 2 below depicts the relationship between the economy, distribution of holding power, and institutions in a political settlement.

Figure 2 shows the creation, reform and viability of informal or formal institutions by power-holding elites in response to the distribution of net benefits from the economic structure of the society. The capacity of power-holding groups to drive and sustain the reform of informal patron-client structures into formal institutions will be dependent on, first, the nature of the distribution of power between competing groups, and, second, the viability of the economic structure of the society to support

**Figure 2: Interdependence of power, the economy, and institutions in a political settlement**



Source: Adapted from Khan (2010: 25).

the formal institutions. Therefore, the capacity of states to promote Weberian legal-rational institutions ‘requires not only that the state supports institutions that drive the capitalist transformation, but also requires effective enforcement of these institutions and relatively low costs of enforcement’ (Khan, 2004: 176). The commitment to effective enforcement of formal institutions requires not only economic resources, but also the power of the ruling group to overcome the resistance of other social groups who are opposed to the formal institutions. The political settlements theory advances the work of new institutionalists in political science who emphasise the primary of politics or the organisation of power between competing groups in the evolution and viability of developmental institutions (Leftwich, 2000). Khan’s political settlement framework of analysis goes beyond the dynamics of politics to also emphasise the argument of Weber (1978: 964-65) that ‘The money economy is of very great importance for the whole bearing of bureaucracy, yet by itself it is by no means decisive for the existence of bureaucracy’. The nature of the organisation of power between groups and the size of the capitalist economy determines the viability of reforms to create formal legal-rational institutions.

Our research uses Khan’s theory of political settlement to analyse how the organisation of power in neopatrimonial Ghana has enabled or constrained public sector reforms that seek to create effective legal rational institutions for public service management, anti-corruption, public financial management, public sector auditing,

and public sector coordination. Our analysis of PSR in Ghana is particularly interested in understanding the effect of a particular type of political settlement which Khan (2010) refers to as *competitive-clientelist political settlement*. In this type of political settlement,

the coalition in power faces strong excluded coalitions contesting its hold on power, as well as having strong lower-level coalitions. The latter provide it with significant organizational power but can also constrain the resource allocation decisions of the leadership (Khan, 2010: 65).

In political settlements characterised by competitive clientelism, the threat of being removed from power within an electoral cycle may mean that ‘there is little incentive for political leaders to invest in the long-term task of building bureaucratic capability’ (Levy, 2014: 40). Instead, ruling elites will most likely use the public bureaucracy as a means of maintaining their coalition in power through, *inter alia*, ‘the discretionary allocation of rents: market privileges; patronage public employment; single-sourced procurement contracts; preferential access to natural resources’ (ibid). Faced with a credible threat of losing power to excluded powerful opposition political parties in competitive elections, the logic of competitive-clientelism suggests that the executive is more likely to use its discretionary power to allocate goods and benefits to strong lower-level persons, groups and constituencies who are more likely to help the executive win the next elections. Further, development policies will be shaped by short-term logics of action within the expected tenure of the elected executive, rather than unpredictable long-term logics of action that exceeds the expected tenure of the elected executive. The nature of competitive clientelism in Ghana and how it has impacted on PSR is discussed in turn.

### **Ghana: A competitive clientelist political settlement**

Competitive multi-party elections in 1951, 1954 and 1956 defined the nature of indigenous power-holding elites in Kwame Nkrumah’s government, formed by the Convention Peoples Party (CPP), that led Ghana’s transition from colonial rule to independence in 1957; and, in 1960, Kwame Nkrumah’s CPP government replaced multi-party democracy with a one-party state (Apter, 1963; Austin, 1970). In the early post-independence period, the British modelled civil service bureaucracy was hailed by observers as one of the best and most efficient in Africa (Apter, 1963; Quartey, 2007; Wereko, 2009). But the public bureaucracy was also challenged and invaded from above and below by patron-clientelism in the distribution of power and resources (Price, 1975). At the time that Kwame Nkrumah’s CPP government was overthrown in 1966 by the National Liberation Council (NLC), a military-police junta, many citizens and external observers had become ‘disappointed with the lack-luster performance of the civil service, a body well regarded by its British mentors at independence, but degraded and demoralized under Nkrumah’.<sup>3</sup> The quality of the

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<sup>3</sup> ‘Foreign Relations of the United States, 1964–1968, Volume XXIV, Africa. Special Memorandum Prepared in the Central Intelligence Agency, Washington, 19 July 1967, No. 5–67, Subject: Ghana’s Political and Economic

state bureaucracy continued to decline steadily under both military and democratically elected governments. From 1966 to 1992, Ghana 21 years of military authoritarian rule under six different military-police governments, and only five years of constitutional democratic rule by two different political parties.

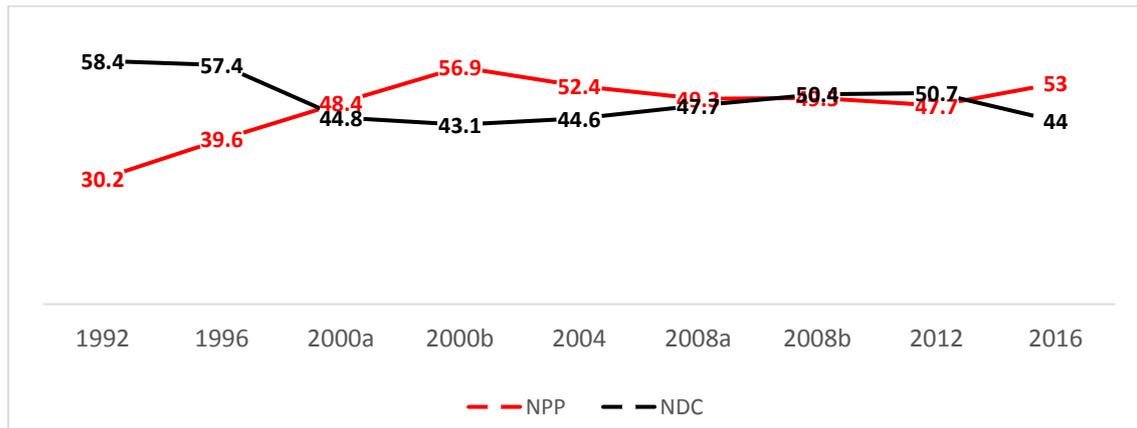
After a decade (1981-92) of quasi-military rule under the Provisional National Defence Council (PNDC), strong internal and external pressures on the government led to the promulgation of a liberal constitution in 1992 and the inauguration of a multiparty democracy in 1993. Despite these frequent changes in government, one thing remained constant in Ghana's political history, namely 'the persistence of clientelism as the glue of political power' (Idun-Arkhurst, 2012). Between the 1960s and the 1980s, the authoritarian and military regimes maintained political control, not only by incarcerating opponents, but also through the distribution of patronage to buy political support. Building ruling coalitions simultaneously involved strategies to redistribute resources towards members of the ruling coalition, while weakening economic classes perceived to be real or potential members of the political opposition (Idun-Arkhurst, 2012; Opoku, 2010).

Following the return to multiparty democracy in 1992, elections have been held every four years in Ghana. Under the Fourth Republic, a *de facto* two party system emerged, in which the National Democratic Congress (NDC) and the New Patriotic Party (NPP) dominate national elections. With each electoral cycle, the NDC and NPP became increasingly competitive, and the margin of votes by which candidates won the presidency continuously declined from one election to the next. For example, while the NDC beat the NPP by a margin of nearly 30 percent to win the 1992 elections, the margin of votes that separated these parties in the 2008 presidential election, in which the NPP lost to the NDC, was less than 0.5 percent of the total valid vote cast. This makes party turnover an increasingly likely outcome during each election cycle. President John Evans Atta Mills died in office in 2011 and his vice president, John Dramani Mahama, led the NDC to win the 2012 elections with 50.7 percent of the votes. President John Mahama could only serve one term in office after losing the December 2016 elections to the NPP. The NPP obtained about 53 percent of the votes, while the NDC got about 44 percent. At the time of completing this research paper, the Electoral Commission had declared the NPP's presidential candidate, Nana Addo Dankwa Akufo-Addo, as the winner of the December 2016 elections, but the NDC was to hand over power on 7 January 2017.<sup>4</sup> Ruling political elites have become increasingly characterised by a high degree of vulnerability in power, due mainly to strong political opposition, as depicted in Figure 2 below.

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Malaise" (<https://history.state.gov/historicaldocuments/frus1964-68v24/d268>). Accessed 12 November, 2016.

<sup>4</sup> The Electoral Commission had declared the NPP as winner based on results from 271 out of 275 Constituencies with the NPP leading the NDC with over one million votes.

**Figure 2: Percentage of NPP and NDC votes in 1992-2012 presidential elections**

Observers of Ghanaian politics concur that the prevailing political settlement under the fourth republic constitutional democracy can best be defined as ‘competitive clientelism’ (Whitfield, 2011a; 2011b; Oduro et al., 2014; Hirvi and Whitfield, 2015; Whitfield et al., 2015; Abdulai and Hickey, 2016). Multiparty democracy has generated competitive clientelist tendencies between the NDC and NPP as the need to build political support and win elections has created a variety of incentives among ruling elites. Building political legitimacy and regime stability simultaneously involved strategies to redistribute resources towards members of the government, party members, and influential leaders in society, while weakening the political and economic bases of real or perceived members of the political opposition (Idun-Arkurst, 2012; Opoku, 2010).

The implications of competitive clientelism for Ghana’s development prospects have been well discussed in the literature (Whitfield, 2011a; Oduro et al., 2014), two of which are of interest here in our analysis of PSR. First, as politicians have increasingly been vulnerable when in power, the policy actions of ruling elites tend to be geared towards distributional initiatives, designed to deliver resources and economic opportunities to patrons and clients of the ruling government, as well as to deliver visible goods and services to as much of the population as possible. This has been the direct result of the short-term election cycle, whereby only initiatives with potential short-term political gains get prioritised, as with the distribution of visible project spending and patronage. Of particular interest to the research, we show that governments have not been strongly committed to pursue public sector reforms that undermine the ability of ruling elites to distribute power and resources to political patrons and clients. Across the two ruling parties, discontinuities in PSR are a norm, undermining the impact of reform initiatives that require a longer-time horizon to bear fruit. The sustainability of PSR has become largely donor driven.

The second key implication relates to the politicisation of state institutions through patronage appointments, with significant adverse implications for the capacity of the state bureaucracy. Every transition of power in Ghana’s highly competitive electoral environment is accompanied by wholesale removal of public servants perceived to

be associated with the previous regime. As Gyimah-Boadi and Yakah (2012: 3) have argued,

the effectiveness of Ghana's public bureaucracy is undermined by politicization and persistent 'clientelization of the democratic politics', in that most senior public sector bureaucrats 'are typically appointed by presidential fiat, largely on the basis of partisan political criteria rather than merit .

Indeed, one of the first acts of successive governments has been to dissolve the boards of state-controlled enterprises so as to appoint their own loyalists to those positions (Gyimah-Boadi, 2010). Extreme partisanship in public appointments has been an enduring feature of competitive clientelism in Ghana, as members of the two dominant parties see the control of the state as the most lucrative avenue for group and individual wealth and influence. The president and top ruling elites select and appoint persons who are aligned with the ruling political party. While the details of such exchanges remain obscure, there is broad agreement that this is usually done in order for the ruling elites to maintain political support from individuals (and groups which those individuals may bring with them) within the ruling party (Hirvi and Whifield, 2015). Partly as a consequence, recent evidence suggests that some elements of institutional quality have worsened since the first competitive election of December 2000 that resulted in the first alternation of power in Ghana's Fourth Republic. The International Country Risk Guide<sup>5</sup> assessments shows that as elections have become increasingly competitive in Ghana, the country's measure of bureaucratic quality has stagnated for a decade (since 2006), suggesting that the improvement in democratic governance has not translated into improved bureaucratic quality and government effectiveness.

In what follows, we explore the wider consequences of these competitive clientelist political settlement dynamics for the effectiveness of public sector reforms in Ghana, focusing specifically on development coordination, public service management, public financial management, auditing and anti-corruption. We show that Ghana's constitutional settlement of multi-party democracy, which concentrates the power of public appointments and resource distribution in the executive, has often resulted in needless and costly institutional duplications and the politicisation of the bureaucracy through patronage-based appointments. Crucially, the analysis of PSR processes and outcomes shows that many PSR have been initiated and driven by donors. Governments have not shown commitment to pursue reforms that weaken their ability to distribute power and resources to political patrons and clients. Reform sustainability across the NPP and NDC political divide is rare, undermining the impact of reform that requires a longer-time horizon to bear fruit. In an environment of strong competitive-clientelism, donors have tried to use conditions attached to their loans and grants to secure the sustainability of PRS implementation.

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<sup>5</sup> For the International Country Risk Guide datasets, see <https://www.prsgroup.com/> (accessed 23 February 2017).

## **Public sector coordination reforms**

The implementation of diverse public policies and programmes by numerous public agencies in Ghana will require effective coordination. In many developed and developing countries, there is a renewed emphasis on reforms that stressed ‘whole-of-government,’ ‘joined-up government,’ and ‘strengthening the centre of government’ to build effective coordination capability for effective policy-making, strategic management and delivery of development targets (Barber, 2007; Bouckaet, Peters and Verhoest, 2010; Alessandro, Lafuente and Santiso 2013; Peters, 2013). This section examines the effectiveness of reforms to ensure effective coordination, monitoring and evaluation of development targets in Ghana. We focus on four issues: first, whether there is a legal basis for a central department to coordinate public sector targets; second, whether there is a legal basis for public sector bodies to report targets to the central coordination department; third, the extent to which the central coordination department actually monitors and evaluates development targets of subordinate agencies; and, fourth, whether the subordinate public bodies comply with the central coordination department’s demands for feedback about performance.

The designers of Ghana’s fourth republic constitution created the National Development Planning Commission (NDPC) as the central coordination agency to advise the president on development planning policies and strategies. Located under the Office of the President, the NDPC is mandated to develop an integrative national development plan that will guide the preparation and implementation of development plans, policies, and programmes by public sector organisations. Although the NDPC prepares a medium-term development plan every five years, these plans have rarely had any impact on the annual budgets prepared by the Ministry of Finance and the annual development programmes and budgets at sector and district levels.<sup>6</sup> Consequently, the Ghanaian state remains weak in terms of its capacity to deliver development within a medium-to-long term framework (Republic of Ghana, 2014). The Constitution Review Commission pointed out that one factor that undermines the NDPC’s coordination mandate relates to its lack of legal capacity to ensure adherence to any development plan it produces ( Republic of Ghana, 2011); with the result that most public sector agencies do not submit their annual progress reports (APRs) to the NDPC.

In December 2015, discussions in parliament revealed that out of the 24 government ministries, only six submitted their APRs to the NDPC for review.<sup>7</sup> Moreover, due to the problem of resource constraint, the NDPC is usually unable to do follow-ups to verify the accuracy of all the APRs received.<sup>8</sup> We argue that the ineffectiveness of the NDPC to coordinate, monitor and evaluate the implementation of development

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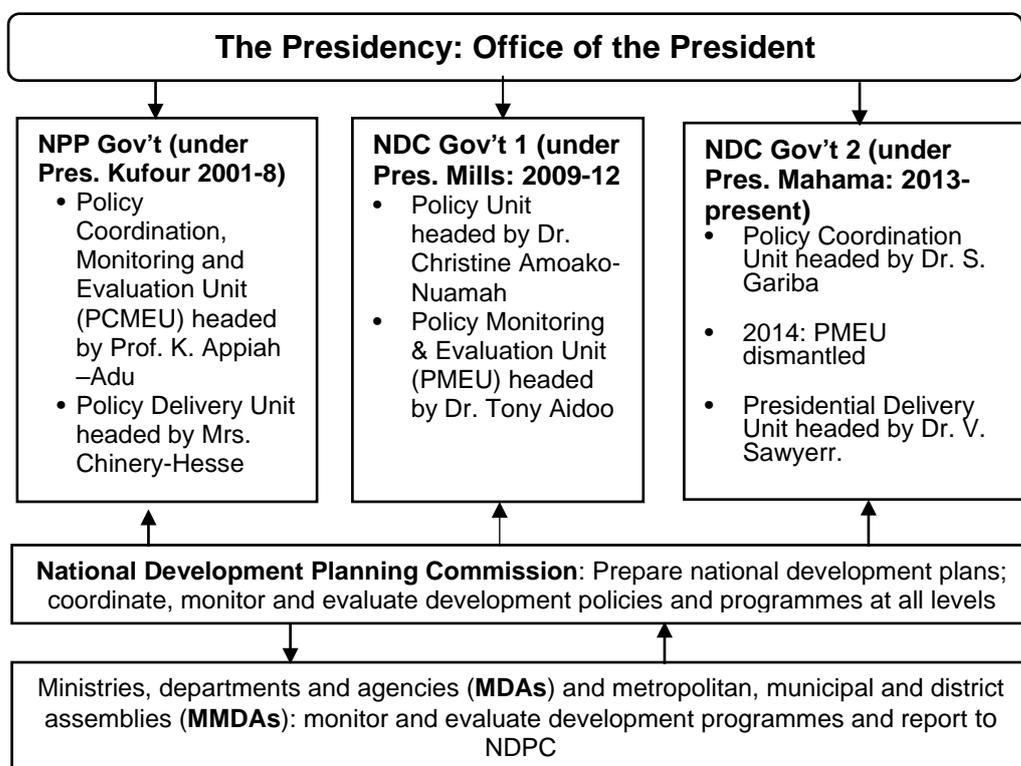
<sup>6</sup> Prof. Christopher Ameyaw-Akumfi, Parliamentary debates, 19 Dec. 2011, Col. 4090. During the December 2010 parliamentary debates on the annual estimates of the NDPC, Mr. Albert Kan-Dapaah shared a similar view that there was no alignment between the medium-term development plans prepared by the NDPC and the annual budgets prepared by the Ministry of Finance (see Parliamentary debates, 16 December, 2010)

<sup>7</sup> Parliamentary Debates, 16 December, 2015, Col. 1932.

<sup>8</sup> Interview with an official in one of the Ministries.

policies is more strongly explained by the frequent re-organisation of the membership of the NDPC; and, more importantly, various initiatives by successive governments to create and manage their own coordination units independent of the NDPC. The formal constitutional rules allow every newly elected government to reconstitute the NDPC. This has resulted in the frequent changes in the Commission's membership whenever there is a change in government. This denies the NDPC the kinds of continuity and institutional memory required for effective public sector coordination and long-term development planning. Thus, following the electoral turnovers in 2001 and 2009, 'almost every member of the Commission was dismissed.'<sup>9</sup> Figure 3 below shows various initiatives by governments to establish and manage their own central coordination agencies independent of the NDPC.

**Figure 3: Legacy of policy units at the presidency in Ghana, 2001-16**



This means that rather than dedicating sufficient resources to strengthening the capacities of the NDPC to act as a central coordination agency, various governments have resorted to the creation of discrete coordinating units within the presidency. The frequent changes in government have combined with the competitive character of clientelism to undermine the sustainability of the various policy and delivery coordination units created at the presidency. It is important to note that even within the same ruling coalition, different factions compete to coordinate development policy-making, resource distribution and targets monitoring. This does not only result in frequent changes in the naming and location of coordination units created within the presidency; but it also results in the sharing of different functions of coordination

<sup>9</sup> Alhaji Mohammed-Mubarak Muntaka (NDC, Asawase), Parliamentary debates, 16 December, 2010, Col. 3724-5.

between the competing factions. A former head of the Policy Monitoring and Evaluation Unit (PMEU) complained that the PMEU created by the NDC government had been 'abandoned...for no apparent reason' after the president died and his vice president, John Mahama, became the new president.<sup>10</sup> In fact, President Mahama created a new presidential delivery unit for policy monitoring and coordination under reforms sponsored by the UK Department for International Development (DFID).<sup>11</sup> This is one of the manifestations of the politics of competitive-clientelism in Ghana whereby both new governments and external donors compete to sponsor new reforms that undermine existing institutions.

Overall, then, the competitive character of clientelist politics in Ghana has effectively undermined the capacity of the state to have a central agency for policy coordination. While international development agencies have shown interests in helping Ghana to strengthen state coordination of development, there is a lack of coordination among donors themselves in providing appropriate technical and financial supports. Donor competition contributes to the lack of government commitment to sustaining coordination reforms implemented by past governments. Public sector reforms in Ghana have been implemented as 'ring-fenced' donor projects in ministries, departments and agencies that largely operate as silos lacking effective coordination.

### **Public service management reforms**

Impartiality in the appointment, promotion and discipline of public service bureaucratic employees, as well as in decision-making processes, is the cardinal principle of a quality public service bureaucracy (Weber, 1978; Rothstein and Teorell, 2008). In this section, we analyse the impact of Weberian reforms in the management of the public service by examining whether (i) there is a legal basis for merit-based recruitment and promotion of public servants; (ii) there is a legal basis for the development of needs assessments and job descriptions before recruitment of public servants; and, (iii) public servants are recruited and promoted by merit governed by a clear salary scale and performance monitoring.

The total number of staff in Ghana's public service is currently about 500,000 personnel (Controller and Accountant General Department [CAGD] data, December 2015).<sup>12</sup> Since 2009, under an IMF-sponsored economic reform programme, the government has placed a net freeze on public sector recruitment. The Ghana education service is the largest sector in the public service, with a staff strength of about 300,000 personnel, followed by the Ghana health service (GHS), with a staff strength of about 100,000, and the local government service (LGS), managing about 30,000 personnel. The Office of the Head of Civil Service (OHCS) manages only

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<sup>10</sup> See: <http://www.myjoyonline.com/politics/2015/March-23rd/new-presidential-delivery-unit-not-duplication-felix-kwakyee-ofosu.php> (accessed 21 February 2017).

<sup>11</sup> The UK-DFID sponsored reform project is described here: <https://devtracker.dfid.gov.uk/projects/GB-1-204483/> (accessed 21 February 2017).

<sup>12</sup> The actual figure as at December 2015 is 519,651. However, as of March 2016, the figure had dropped to 505,901 (data obtained from the CAGD in April 2016).

about 15,000 personnel across 24 ministries. Presently, the Fair Wages and Salaries Commission has moved 139 public service organisations onto a single spine salary structure and the total number of employees migrated is about 480,000.

Since 2006, the Global Integrity Initiative (GII) has rated Ghana as having a comprehensive legal framework (100/100) that requires an impartial, independent and fairly managed civil service to prevent nepotism, cronyism and patronage. In practice, however, when it comes to the appointment and evaluation of the civil service 'according to professional criteria', the 2011 GII report gave Ghana an average score of 50 percent. It is important to note that professional teachers, nurses, doctors and administrators in the education and health sectors constitute over 60 percent of the public service personnel in Ghana. The employees in the education and health sectors are mainly appointed through the mandarin system of centralised recruitment, where relevant final year tertiary students who pass their examinations are absorbed into the public service. Generally, therefore, meritocratic recruitment into the public service is reported to be above average (Sigman, 2015). The numerous donor-sponsored PSRs in Ghana have not focused on improving meritocratic recruitment. Currently, as part of the conditions attached to an IMF-sponsored economic reform programme in Ghana, there is a net freeze on annual centralised recruitment into the public service (except in the education and health sectors).

One of the salient features of the 1992 constitution of Ghana is its excessive concentration of political power in the presidency to appoint administrative elites in the public service. In addition, the appointment ministers and the heads of all public sector agencies in Ghana are appointed by the president. Within each ministry is an administrative head, the chief director, who is appointed by the president with the advice of the Civil Service Council. Beneath the chief director are the civil service divisions headed by directors who are also appointed by the president in consultation with the Public Services Commission.<sup>13</sup> The OHCS has supervisory authority over the performance of chief directors, directors and all civil servants across the various ministries. The appointment of chief directors and directors by the president weakens the power of the OHCS to sanction the performance of the presidential appointees whose tenure of office is at the pleasure of the president. Indeed, whenever a new political party is elected into government, almost the entire executive class of the public service is replaced by new presidential appointees. For instance, 'When the government changed after the 2000 election, the incoming NPP government introduced new staff throughout the hierarchy of the Ministry of Finance which brought major disruptions' (Lawson, 2012: 54). The effect of the politics of competitive clientelism on recruitment into the public service is felt more at the executive level (i.e. chief executives, chief directors, and directors) than at the lower and middle levels.

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<sup>13</sup> Article 195 of the 1992 Constitution of Ghana; Section 22 of the Civil Service Act 1993 (PNDCL327).

Since the 1990s, reforms in the management of the public service have consistently focused on improving employee performance. In 1997, as part of the Civil Service Performance Improvement Programme, the reform introduced performance agreement contracts, signed between chief directors and their ministers and the OHCS, as a tool for rewarding and sanctioning the performance of chief directors. An evaluation of the performance of the chief directors was done in 2000. However, the election of the opposition New Patriotic Party into government that same year made the leadership of the OHCS apprehensive that the evaluation report could be used by the new government as a basis to witch-hunt poorly performing chief directors who were perceived to be members of (or sympathetic to) the old government. The leadership of the OHCS took a deliberate decision not to make the report available to the new government in order 'to avoid victimization'.<sup>14</sup> The chief directors performance agreement contracts therefore died until they were re-introduced in 2013 under the NDC government.<sup>15</sup> But there is little evidence to suggest that both the NDC and NPP governments have used the chief directors performance evaluation reports to reward and sanction chief directors if it had not lost the elections.

Since the reintroduction of the chief directors performance agreement contracts in 2013, the OHCS has conducted two evaluations of the performance of chief directors (2013 and 2014) and submitted reports to the Office of the President (OoP). In October 2015, the maiden Civil Service Excellence Awards scheme was organised to reward top-performing chief directors. Poorly performing chief directors were reprimanded and at least one chief director was dismissed.<sup>16</sup> It seems that the reintroduction of performance agreements with chief directors is yielding some results within the ministries. In an interview with an official at the Ministry of Trade and Industry (MOTI) about the effectiveness of the monitoring and evaluation arrangement, he stated:

We have our own assessment because every directorate and team is supposed to sign a performance agreement. We sign it with the chief director and so at the end of every period, the Office of the Head of the Civil Service will come with a team to check and assess whether the chief director is performing and they do ask a lot of questions.<sup>17</sup>

The reintroduction of the chief directors performance agreement system is seen by public servants at higher and lower levels as an innovation to improve performance in a sector largely staffed by 'a special breed of persons who perhaps have the

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<sup>14</sup> This explanation was given by the head of the OHCS at a public workshop on how to make the civil service more effective. The head of the OHCS was then the head of the Management Services Department, which carried out the evaluation of the performance of the chief directors at that time. He explained that he was unhappy that all the time, energy and resources that had been invested into the evaluation exercise was wasted, but he could do very little about the decision.

<sup>15</sup> Parliamentary debates, 16 December, 2015, Annual Estimates of the OHCS, Col. 1912.

<sup>16</sup> Discussions with officials of the OHCS and Cabinet Secretariat in March 2016.

<sup>17</sup> Interview with an official in one of the ministries.

contentment of security of a job'.<sup>18</sup> An official in one of the ministries stated, 'I think even the performance appraisal that is currently used to assess the performance of staff within public service itself is an innovation and a reform that is helping us to reach the M&E desire we want and then accountability issues'.<sup>19</sup> The challenge is to ensure sustainability of the reform. Booth (1999: 26, 29) noted that most of the civil service reforms in Ghana 'failed to yield significant improvements in efficiency or produce lasting changes in the way organizations really work' because 'the reputations of "new" approaches to development are made and unmade rather quickly'. Lack of reform sustainability appears to be shaped not only by frequent changes in government, but also intense competition among international development agencies to influence governments through the introduction of new donor-funded public sector reform programmes that are poorly coordinated. The new chief directors performance agreement programme has received some financial support from international donor agencies after threats by the OHCS that the 'implementation of the 2016 round of chief directors and directors performance agreements' 'may likely suffer' if a shortfall in government budgetary allocations is not addressed.<sup>20</sup> This raises questions about the commitment of high-level bureaucrats within the OHCS to effectively hold civil service directors accountable for their performance in the absence of additional financial support from donors.

### **Public sector anti-corruption reforms**

Public sector corruption is pervasive in Ghana, and recent evidence suggests that progress in reducing corruption has either stagnated or even worsened during 1996-2014 (World Bank, 2015). Evidence from Transparency International's Corruption Perception Index (CPI) paints a similarly gloomy picture, with Ghana scoring between 3.9 and 4.8 points on a 10.0 scale during the past seven years. What explains the persistently high level of public sector corruption in Ghana? This is an especially important question in view of the significant efforts made in the establishment of several legislative and institutional frameworks aimed at fighting corruption in Ghana. The Global Integrity Initiative (GII) surveys have frequently rated Ghana among the few African countries that have 'a comprehensive' legislative framework governing

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<sup>18</sup> Interview with Mr Robertson Nii Akwei Allotey (commissioner, Public Services Commission), 20 August 2008, conducted by Ashley McCants for the Princeton University programme entitled 'Innovations for Successful Societies', [www.princeton.edu/successfulsocieties](http://www.princeton.edu/successfulsocieties) (accessed 21 February 2017).

<sup>19</sup> Interview with an official in one of the ministries.

<sup>20</sup> In the 2016 annual budget estimate of the OHCS discussed in Parliament, the OHCS indicated that the 'implementation of the 2016 round of Chief Directors and Directors Performance Agreements' 'may likely suffer' if government did not address the shortfall in budgetary allocations to the OHCS for goods and services (see Parliamentary debates, 16 December 2015, Annual Estimates of the OHCS, Col. 1925). A DFID-funded public sector reform project in Ghana (called 'DELIVER'), aimed at strengthening public policy-making and delivery at the presidency came to the rescue of the OHCS by providing financial assistance for the 2016 chief directors and directors performance agreement contract proposal hearings to be conducted.

anti-corruption.<sup>21</sup> Ghana has also ratified many international conventions against corruption. In law, attempted corruption, extortion, offering a bribe, receiving a bribe, bribing a foreign official, using public resources for private gain, money laundering, and conspiracy to commit a crime are all completely illegal in Ghana. Yet, Ghana's performance in the fight against corruption since the turn of the 21st century has worsened.

We argue that the high level of corruption in Ghana derives from weak systems of oversight and accountability, itself the result of the competitive clientelist character of its politics. The 1992 constitution monopolises for the attorney-general (AG), who also holds the dual position of minister of justice, the power to initiate and prosecute all criminal and civil cases on behalf of the state.<sup>22</sup> Only the AG can decide whether or not to prosecute cases of corruption against officials who are alleged to have abused their public office for private gain. Given the AG's monopoly of state prosecutorial power, all the other anti-corruption agencies in the country have become dependent on the willingness of the politically appointed AG to seriously prosecute alleged cases of corruption.

The Directorate of Public Prosecutions (DPP), the prosecuting arm of the government, is under the Ministry of Justice, thus making public prosecutors directly accountable to political appointees in the executive branch. Because desire for political power in Ghana in part derives from the capacity it brings to distribute state resources for political (or personal) gain, those appointees under the office of the AG often face incentives not to enforce the law in certain areas (Fox et al., 2011). In a country where many heads of public sector agencies appointed by the president are usually key financiers of the ruling party, the AG finds it difficult to undermine not just his own political position, but also the financial backbone of his political party. Consequently, the two dominant parties have often resorted to 'post incumbency' accountability strategies in fighting corruption, whereby only former officials from rival political parties are prosecuted, while corrupt ruling party officials are often required to resign from their positions, rather than being prosecuted.

The 1992 constitutional designers also created another anti-corruption institution, the Commission for Human Rights and Administration Justice (CHRAJ), to function as an autonomous anti-corruption agency, although the commissioners are appointed by the president. CHRAJ is given the authority to carry out independent investigations of corruption, but the AG and minister for justice has the final authority to determine whether or not to prosecute persons cited in the CHRAJ investigation reports. Another manifestation of weak elite commitment in fighting corruption relates to an apparent government reluctance in granting sufficient independence to CHRAJ. First, CHRAJ lacks financial independence, as its annual budgets require the approval of

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<sup>21</sup> Ghana has consistently been included in the Global Integrity Initiative surveys since 2004. See <https://www.globalintegrity.org/research/reports/global-integrity-report/> (accessed 23 February 2017)

<sup>22</sup> See 1992 Constitution, Article 88.

the Ministry of Finance and Economic Planning on an annual basis.<sup>23</sup> While the 1992 constitution guarantees the financial independence of CHRAJ, in practice, CHRAJ 'continue to be subjected to executive control', including the downward revision of its budget by the Ministry of Finance.<sup>24</sup> Second, most of CHRAJ's commissioners (including the present one) are often appointed by the president in acting capacities, which weakens their independence of action. As one key informant aptly expressed it:

If you put people in acting positions for long, you sort of weaken their independence. They are supposed to be independent state institutions. If I am supposed to be appointed by the president, the president puts me in an acting position, you are waiting for your confirmation, would you want to deal with any serious matter that will make you lose your opportunity of being confirmed as a substantive head? No!<sup>25</sup>

Understanding why Ghana's impressive institutional and legal frameworks for fighting corruption have not delivered tangible results requires looking at the country's competitive clientelist political settlement dynamics of appointments and distribution of resources. Here, the growing competitiveness of elections and the attendant vulnerability of ruling elites when in power is particularly important. Increased electoral competition has meant that virtually all governments that assume office often tend to use the system of patronage both as a way of rewarding loyal political supporters and in seeking to 'swing' disloyal supporters, all in an attempt to maintain the ruling government in power in the face of stiff electoral competition from opposition parties.

On assuming office in 2001, the NPP government declared a policy of 'zero tolerance for corruption'. To encourage citizen participation to report corruption, the government repealed the criminal libel and seditious laws in July 2001, and subsequently prosecuted a sitting cabinet minister for causing financial loss to the state. While this seemed to have signalled a higher level of elite commitment to fighting corruption in Ghana, the so-called zero tolerance for corruption policy soon turned into a mere rhetorical gimmick, with several surveys pointing to growing levels of corruption by the beginning of NPP's second term in office in 2005 (Abdulai, 2009). In 2006, the government enacted the Whistleblower Act, Act 720, to encourage citizens to report corruption. In spite of the efforts by civil society organisations (CSOs) – including the Ghana Anti-Corruption Coalition (GACC) and the Ghana Integrity Initiative (GII) – to educate the public about the Whistleblower Act, the Act has not received much support from citizens (GACC, 2010).

A recent Constitutional Review Commission (CRC) report notes that the majority of submissions on how best to pursue the fight against corruption in Ghana not only

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<sup>23</sup> These structural limitations are also applicable to the Serious Fraud Office (SFO), another traditional anti-corruption institution in Ghana.

<sup>24</sup> Parliamentary Debates, 19 December, 2014, Col4812.

<sup>25</sup> Interview with one of the executive directors of the Ghana Integrity Initiative.

suggested the need to decouple the two positions, but also emphasised the need to vest the prosecutorial functions of the AG in an independent prosecutor (Republic of Ghana, 2011: 129). One recommendation of the CRC was the need to restructure the office of AG 'to contain two semi-independent divisions headed by competent, professional and politically neutral Director of Public Prosecutions and Solicitor-General in charge of criminal and civil cases, respectively' (Republic of Ghana, 2011: 130). In line with the relative emphasis on power relations vis-à-vis institutions in political settlements theory, one former AG recently argued that anti-corruption institutional reforms in Ghana are unlikely to make any significant impact unless there is 'a change in the current habit of impunity on the part of the political elite'.<sup>26</sup> Apparently, the defects in Ghana's anti-corruption system have more to do with the weak autonomy of the public anti-corruption institutions from the web of competitive clientelist politics than the lack of technical and resource capacity emphasised in the National Anti-Corruption Action Plan (NACAP) formulated in 2011. CHRAJ, the agency mandated to coordinate the implementation of NACAP, has not received the required financial support from government.

### **Public sector auditing reforms**

Public sector auditing is seen as an important anti-corruption mechanism, particularly for ensuring efficiency in the use of public financial resources. However, an effective system of organisational performance auditing goes beyond financial auditing to evaluate whether the internal practices of an agency conforms to its institutional mandates. Diamond (2002: 8) asserts that for an independent auditor to have the capacity to make an objective judgement, the auditor must 'have no direct management responsibility for what is being audited'. The section addresses two key questions: first, in law and practice, are there audit institutions in Ghana that are independent from executive (or government) interference? Second, to what extent, if any, do public sector organisations comply with audit institutions?

The 1992 Constitution of Ghana creates a Supreme Audit Institution headed by an AG, who is appointed by the president, and charged with the responsibility of auditing and reporting on public accounts of Ghana and of all public offices. The AG is assisted by an audit service that is decentralised to all regions and districts. The constitution requires the AG to draw parliament's attention to any irregularities in the audited accounts of public agencies within six months after the end of the immediately preceding financial year. The report of the AG is submitted to parliament and examined by the public accounts committee, which is headed by a member of parliament from the largest opposition party.

Ghana's organisational framework of public sector auditing is structured in such a way that the AG and parliament have no power to enforce disallowance and surcharge of items of expenditure. Instead, these institutions depend on the politically appointed AG for criminal and civil prosecutions of officials who are reported to have misappropriated public funds. This compromises the independence of the audit

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<sup>26</sup> Amidu, M. 'The National Anti-Corruption Action Plan is not the solution', 18 July, 2014.

institutions from executive interference in the implementation of the findings of corruption uncovered by auditors. At almost every level of organisational structure, the system can be suffocated by presidential appointees who head agencies responsible for ensuring the effectiveness of auditing. In spite of numerous reforms to strengthen public sector auditing, particularly since the late 1990s, the Global Competitiveness Index (GCI) 2015-16 report assesses Ghana's strength of auditing and reporting standards to be slightly above average, scoring 3.9 out of a best score of 7, sliding backwards from the 2013-14 score of 4.1. The reasons for Ghana's average performance in auditing are discussed below.

In 2003, as part of a World Bank-sponsored public financial management reform programme, parliament passed the Internal Audit Act 658, which mandates public agencies to create internal audit units for the purposes of internal auditing. The Act also created a central agency, the Internal Audit Agency (IAA), to co-ordinate, facilitate, monitor and supervise internal auditing activities within public agencies to secure quality assurance. Public agencies are required by the Internal Audit Act to establish audit report implementation committees (ARIC) that shall be responsible for pursuing the implementation of the recommendations made in internal and external audit reports.

It is important to note the critical role played by the ARICs in the fight against corruption, because these committees are mandated by section 30(2a) of the Audit Service Act 'to ensure that the head of an institution, body or organisation ... pursues the implementation of matters in all audit reports as well as ... financial matters raised in the reports of internal monitoring units in the institution, body or organisation'. This means that if an institution, body or organisation that is legally required to set up an ARIC fails to do so, it is almost certain that nothing will happen to the internal audit reports as well as the AG's report endorsed by parliament. This is exactly what has happened in many public sector organisations to render Ghana's anti-corruption mechanisms ineffective.

The members of the ARICs are packed with persons from the same agency whose audit reports are to be discussed by the ARIC, thereby creating situations of self-auditing and conflicts of interest. The ARICs are also headed by politically appointed heads of public agencies, who largely have little desire to implement audit report findings against them. Particularly where the head of an organisation is the subject of corruption in an audit report, and that same head is the chair of the ARIC, then it is unlikely that the ARIC will ever meet to consider the audit reports. In 2003, during parliamentary debates about the structuring of internal auditors as staff of public agencies rather than as staff of the IAA, one MP asked rhetorically:

Can this person as the internal auditor perform creditably without any fear or favour? I ask this because he is supposed to report on every activity within their organisation to management, and management is supposed to sit on this

report and act on it appropriately. ... this is where for some of us, our doubts, our fears, lie.<sup>27</sup>

As another MP remarked:

We know what happens in this part of the world. When you want to report on somebody who is trying to commit fraud on government revenue, you know the victimisation that you go through. ...If a minister is involved, who is there in the ministry to be bold enough to report him?<sup>28</sup>

The nature of composition of the ARICs, as well as the position of the internal auditor as subordinate employees of the organisation whose head chairs the ARIC, have stifled the objectivity of internal auditors in fighting corruption.

The implementation of the recommendations in the AG's report has largely become a matter of choice for many heads of public agencies. The hijacking of ARICs by heads of the same agencies has also undermined the willingness of internal auditors to write objective reports about corrupt officials within their organisations in order to protect their jobs, not least as internal auditors are not 'insulated from all forms of harassment and intimidation by managers of those organisations involved.'<sup>29</sup> In explaining why the recommendations in the report of the AG endorsed by parliament rarely get implemented, a member of parliament said:

The Audit Report Implementation Committee is made up of the senior officers of the institutions that were audited and the institutions that committed all this financial indiscipline. So, in effect, we are asking them to punish themselves. The result is that, on all the reports that we have had, we make all the right noises in this House and yet nothing happens.<sup>30</sup>

External representatives on ARICs have also proved to be usually unreliable when needed to pursue the heads of agencies to implement audit recommendations. Particularly within the local government system, an ARIC meeting requires at least one external representative, in addition to two other members, to constitute a quorum. Therefore, when the only external member of the ARIC becomes incapacitated for some period of time, the ARIC is unable to function. During the 2015 Annual Internal Auditors forum, an internal auditor who works with a district assembly reported that 'For three years we never had an external representative, so there was no ARIC meeting. The external representative lived far away in another town'.<sup>31</sup> The president of the Ghana Institute of Internal Auditors also pointed out that

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<sup>27</sup> Mr Samuel Sallas-Mensah (NDC), Parliamentary debates, 26 Nov. 2003, Col. 1761-2.

<sup>28</sup> Mr Doe Adjaho (NDC), Parliamentary debates, 27 June 2003, Col. 1887-8.

<sup>29</sup> Mr Samuel Sallas-Mensah (NDC), Parliamentary debates, 26 Nov. 2003, Col. 1762.

<sup>30</sup> Mr Albert Kan-Dapaah, Parliamentary Debates, 28 June, 2012, Col. 2085.

<sup>31</sup> Annual Internal Auditors Annual Forum, 2015, plenary session to discuss the challenges of, and solutions to, internal auditing in the public sector. The forum was attended by one of the authors of this paper.

the two-year tenure of ARIC members, for not more than two terms, has created a situation where 'the election of a new government usually leads to changes in membership of ARIC'.<sup>32</sup> Public agencies therefore have to spend money to train new members of the ARIC almost every four years.

Moreover, internal audit units in public agencies usually do not have their own budget lines, and have to rely on financial allocations made by the heads of the agencies to function effectively. One internal auditor explained the implication of this as follows: 'We find ourselves in a situation where the internal audit unit does not have a budget line. Sometimes you have to go and beg the accountant for money. So how do you raise adverse findings against the same accountant?' Internal audit units appear to be at the mercy of all resource holders within their organisations in order to survive. This resource dependency kills the neutrality of internal audit units. In fact, it took legal battles at the Supreme Court for the AG to win its constitutionally guaranteed financial independence in 2010.<sup>33</sup>

In April 2015, the government of Ghana negotiated a three-year extended credit facility package with the International Monetary Fund (IMF) to obtain from the latter \$960million financial support (IMF, 2015). The IMF demanded public financial management reforms to enhance efficiency, revenue generation, and rigorous budget implementation with control and commitment. In response, government passed the Public Financial Management Act, Act 921, on 25 August 2016 before the executive board of the IMF completed the review of Ghana's economic performance on 28 September 2016. The IMF noted that:

To ensure that the gains from fiscal consolidation are sustained over the medium term, the government needs to continue its efforts to effectively implement a wide range of ambitious reforms. These include measures to broaden the tax base and enhance tax compliance, strengthen control of the wage bill, and enhance public financial management (PFM). In this regard, the recently adopted PFM legislation is an improvement over previous laws.<sup>34</sup>

Time will tell whether the new Public Financial Management Act will provide an antidote to the problem of self-auditing by public agencies.

In the 2016 Public Financial Management Act, the dysfunctional ARICs have been replaced with *Audit Committees* that are to be established in each sector by the minister responsible for finance. Notably, the composition of the new Audit Committee differed markedly from the former ARIC with regards to the independence of the majority of members. Section 87(1-3) of the PFM Act states that the majority of the five-member Audit Committee shall be independent members nominated by the

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<sup>32</sup> Annual Internal Auditors Annual Forum, 2015.

<sup>33</sup> William Brown v. Attorney General, Minister of Finance, Controller and Accountant General, No. J1/1/2009

<sup>34</sup> For the IMF press release, see <http://www.imf.org/en/News/Articles/2016/09/29/PR16439-Ghana-IMF-Executive-Board-Completes-Third-ECF-Review> (accessed 30 September 2016).

Internal Audit Agency and the Institute of Chartered Accountants (Ghana), 'from among persons who do not work in the covered entity to which the Audit Committee relates and two other members shall be nominated by the Principal Account Holder'.<sup>35</sup> Moreover, to further curtail the politics of competitive clientelism that had undermined the effectiveness of the ARIC, 'The chairperson of an Audit Committee shall be elected from among the independent members of the Committee'.<sup>36</sup> However, clause 6 of section 87 of the PFM Act appears to conflict with the attempt to ensure the independence of the Audit Committee, by stating that 'The Principal Account Holder shall appoint the chairperson and members of an Audit Committee'. Clearly, the new PFM Act requires an amendment to bring clarity to the question of who has the power to appoint the chairperson and members of the Audit Committee. Moreover, section 86(2) of the PFM Act gives powers to the minister responsible for finance to 'by Regulation, specify (a) the number of Audit Committees to be established in each sector; (b) the qualification for appointment to an Audit Committee; (c) the funding of Audit Committees; and (d) the procedure for meetings of an Audit Committee'. Clearly, the PFM legislation makes almost no improvement to the financial independence of the auditing committee. Further, the Audit Committee has not been politically insulated from the minister for finance, who has enough power to cripple the work of Audit Committees to cover the corrupt deeds of his political patrons and clients if the minister wishes. For now, it is too early in the day to know how the new Audit Committees will be created and whether the political ruling elites, including the minister for finance, will be committed to ensure the effective functioning of the Audit Committees across the various sectors. Progress in reforming public sector auditing has so far been sustained by external donors.

Civil society groups in Ghana are also beginning to play a key role in audit reforms to ensure the efficient use of public financial resources. Until 2016, the judiciary system had not implemented the constitutional obligation to ensure that the High Courts shall create the rules of court for the purposes of addressing cases brought by persons who may be aggrieved if the AG exercises the powers of disallowance and surcharge against them. A newly created civil society group, OccupyGhana, has not only mounted strong pressure on the AG to exercise the powers of disallowance and surcharge, but has also gone a step further to offer the legal expertise of its influential members to help the AG and the judiciary to create the missing rules of court to prosecute cases of corruption in audited reports. Ensuring effective public sector auditing will require movements by powerful independent interest groups (including donors and local CSOs) and the mobilisation of resources and legal expertise to support the new Audit Committees.

### **Public financial management reforms**

Public Financial Management (PFM) is mainly about how public agencies manage state financial resources to promote development (Betley et al., 2012; Andrews et al. 2014). While tax administration reforms in Ghana have been hailed as 'the most

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<sup>35</sup> Public Financial Management Act, Act 921, Section 87(3).

<sup>36</sup> Public Financial Management Act, Act 921, Section 87(4).

successful component of the overall PFM reform programme' (Lawson, 2012: 56); we focus here on examining the effectiveness of reforms to ensure efficiency in public financial management. Particularly, our analysis focuses on reforms to ensure transparency, equity and efficiency in public procurement.

Ghana's growing democratic culture of participation has supported the participation of public bodies and, to a limited extent, civil society groups, in the annual budget formulation and reporting processes. In the 2015 Open Budget Survey assessment of Ghana's budget process, the provision of opportunities for the public to engage in the budget process was rated as 'weak', with a score of 29 out of 100, although this score was higher than the global average score of 25. In the 2005 PEFA assessment, participation of public bodies in budget preparation received a rating of B, and in the 2006 assessment, it achieved an excellent rating of A before returning to B in the 2012 assessment. In recent years, the MoF has gone beyond the legal requirements of participation in the FAR to engage with other stakeholders in society (including academia, CSOs and private sector businesses) to make input into the preparation of the budget.

However, following parliamentary approval of the budget, there are widespread complaints by public agencies that the MoF usually fails to disburse the full approved budget estimates. Some implementers and analysts of public sector reforms have commented that, in the absence of donor financial transfers to public agencies for reform projects, 'the Ministry of Finance (MoF) failed to make budgetary provision for reform programmes for MDAs' (Antwi et al., 2008: 260). In recent years, government rarely provides financial support to many public agencies for their capital expenditures. Generally, public agencies have become dependent on erratic donor funds for their expenditures. Tony Killick describes Ghana's expenditure budget as 'a ritualised façade' that bears 'little relation to actual state spending' (Killick, 2005: 2) because powerful political elites are able to set aside the budget and dispose of monies according to electoral exigencies.

Some analysts have questioned the quality of legislative scrutiny of the budget formulation and accountability processes, and there is a general agreement that 'parliamentary oversight of the budget is weak' (Kwakye and Owoo, 2014: 6). There is strong evidence that the weak parliamentary oversight in Ghana is largely a product of the nature of the competitive clientelist political settlement in place, whereby members of parliament (MPs) compete for appointment as government ministers; thereby undermining their capacity and commitment to holding government accountable in a legislature where the ruling political party have always won the majority of parliamentary seats. It is unlikely that if the technical capacity of MPs is strengthened, and they are given enough time to scrutinise government business, ruling party MPs will shirk their political party loyalties and ministerial ambitions to ensure effective budget accountability.

In 2003, the Public Procurement Act (Act 663) was enacted with a ten-member public procurement board (PPB):

to harmonise the processes of public procurement in the public service to secure a judicious, economic and efficient use of state resources in public procurement and ensure that public procurement is carried out in a fair, transparent and non-discriminatory manner.<sup>37</sup>

All the ten members of the central board are appointed by the president.<sup>38</sup> Each procurement entity is legally mandated to establish a tender committee to ensure that at every stage of the procurement process, the prescribed procedures have been followed. From the sector ministries to the various local government authorities, the tender committees are also chaired by ministers and chief executives appointed by the president, or a person appointed by an appointee of the president. The organisational structures of public procurement are packed with government political appointees to favour the distribution of public contracts to party financiers, loyalists and clients.

The default mode of procurement in Ghana is competitive tendering. A major problem that undermines competition, transparency and value for money in Ghana's public procurement system is the practice of restricted tendering and single-source (or sole source) procurements, which occurs with the approval of the politically appointed Board of the Public Procurement Authority (PPA). Single-source procurement and restricted tendering may be undertaken by a procurement entity for economic and efficiency reasons, though this is subject to the approval of the Public Procurement Board (PPB). It is rare for the PPB to disapprove of the use of sole-sourcing and restricted tendering by public entities. Recent estimates suggest that at least 80 percent of public procurement of goods and services in Ghana is done through sole sourcing.<sup>39</sup> At the level of local government assemblies, the Public Accounts Committee of Parliament (PAC) recently observed that most procurement irregularities occur through sole sourcing that is not subject to approval from the PPA.<sup>40</sup> Sole sourcing and restrictive tendering have become the life-blood of financing political parties. The formal rules of single-source procurement and restrictive tendering have been widely used by government officials to reward party loyalists and cronies with big contracts, who in turn pay 'kick backs' into the coffers of the ruling political party.

Consultants of external development partners (particularly the World Bank, DFID-UK, and OECD) and local civil society groups that participated in various workshops and meetings in Ghana to discuss draft of the 2003 Public Procurement Bill tried unsuccessfully to influence the creation of politically independent public procurement structures (World Bank, 2003). World Bank consultants and experts drew the

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<sup>37</sup> Public Procurement Act, Act 663, Section 2.

<sup>38</sup> Public Procurement Act, Act 663, Section 4(2).

<sup>39</sup> Minority leader Osei Kyei Mensah Bonsu, speaking on Joy Fm Super Morning Show, 24 May, 2016. (See more at: <http://www.myjoyonline.com/news/2016/May-24th/procurement-authority-needs-to-be-granted-independent-status-mp-advocates.php#sthash.GdUghtKg.dpuf> [accessed 21 February 2017])

<sup>40</sup> PAC Report on Auditor-General's Report on the Accounts of District Assemblies – December 2010, 2011 and 2012, Hansard 24 May 2016, Col.419.

attention of government officials (including the AG and minister of justice) to consider 'some modifications' to chairmanship of the PPB; chairmanship of the entity tender committees; and other specific areas of the draft bill 'that would enhance the Bill's primary objective of ensuring that Ghana's procurement system would become more efficient and transparent' (World Bank, 2003: 9). Concerning the chairmanship of the PPB, the World Bank (2003: 15) recommended:

For greater independence, the Bill should mention that the Chairperson of the Public Procurement Board would be selected from the private sector as provided for in the initial draft Procurement Bill. This would ensure that the Public Procurement Board is not perceived as being dominated by government officials, and that it is an independent party in the conduct of reviews. A private sector Chairman/Chairwoman would be more independent of influence by government officials in discharging his/her duties.

Towards ensuring accountability and responsibility for procurement at the level of each public entity, the World Bank (2003: 16) recommended that

The chairmanship of an entity's Tender Committee is a technical/administrative function. As such, this technical (procurement) function needs to be assigned to the most senior administrative official in the entity, and he/she would be held accountable for carrying out the function efficiently and following the agreed procedures.

The government agreed to revert to the initial draft agreement in which the heads of procuring entities occupied the chairmanship of the tender committees. However, the government rejected the World Bank's suggestion that the most senior administrative official, and not the politically appointed head, should occupy the chairmanship position of the tender committees. The procurement Bill that was enacted into law also stated that the chairperson of the procurement board 'shall be a person competent and experienced in public procurement', not necessarily selected from the private sector as the World Bank had wished. Following the defeat of the NPP government in the 2012 presidential elections, the elected NDC government also refused to change the chairmanship of the tender committees from the political head of a public agency to most senior administrative official, as had been suggested by the external donor partners.

As part of IMF conditions for the government of Ghana to access a three-year credit facility (IMF, 2015), as already noted above, the government was required to implement a package of reforms that included a reform agenda to strengthen public financial management. A new public procurement amendment bill was drafted in 2015 to correct imbalances in the procurement structures.<sup>41</sup> In passing the bill in 2016, NPP and NDC MPs voted unanimously to revise upwards the low procurement thresholds in the 2003 Public Procurement Act. Interestingly, the MPs from both the

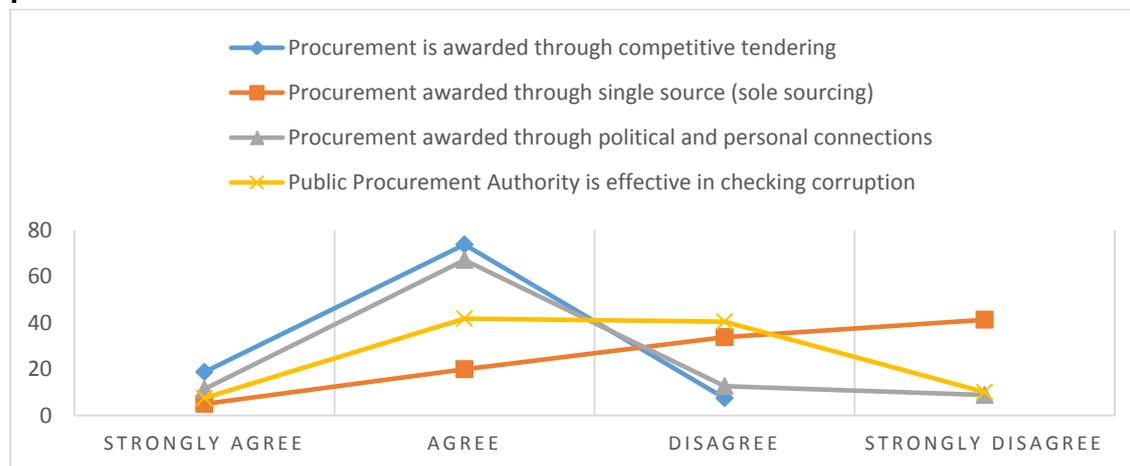
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<sup>41</sup> Public Procurement (Amendment) Bill, 2015, Memorandum, page i.

NPP and NDC did not suggest a change in the patron-clientelist rules of the game, whereby the procurement tender committees were chaired by politically appointed heads of public agencies. Increasing the thresholds of public procurement without dealing with the problem of patron-clientelism in the award of procurement contracts is more likely to lead to an increase in the thresholds of patron-clientelism for any governing coalition.

We surveyed the opinions of officials involved in the public procurement within various government ministries to know the extent to which the public procurement structures promote competitive, transparent and non-partisan procurement process. The views of 80 procurement officials in 18 ministries who responded to the survey are presented in Figure 4 (see Appendix 1 for the list of ministries).

**Figure 4: Competition, politics and accountability in Ghana’s public procurement**



From the analysis of the survey (as shown in Figure 4), 92.6 percent of the public procurement officials surveyed either agreed or strongly agreed that their ministries procure goods and services through competitive tendering. However, 78.5 percent of the respondents also indicated that political and personal connections influence the award of procurement contracts. These findings are consistent with evidence from the World Economic Forum’s Global Competitiveness survey for 2010-11. Here, on a seven-point scale (where 1 represents ‘always show favouritism’ and 7 implies ‘never show favouritism’), Ghanaian business executives gave the country a score of 2.8, indicating a high degree of favouritism of government officials towards well connected companies and individuals when deciding upon contracts.

What are the specific causal mechanisms through which political favouritism occurs in the award of procurement contracts? Our findings suggest that the compositions of the central board, the tender committees, and the tender review boards with politically appointed chairmen make it almost impossible for private businesses to win contracts through competitive tendering without some form of political manoeuvrings. The Public Procurement Act provides a system for redress of grievances and complaints in respect of corruption or unfair treatment by requiring the central board

to 'investigate and debar from procurement ... contractors and consultants who have seriously neglected their obligations under a public procurement contract, have provided false information about their qualifications, or offered inducements of the kind'.<sup>42</sup> Some international development agencies and local private businesses have lodged complaints of unfair treatment against public entities in the award of procurement contracts, but it is rare for the PPB to sanction any public entity, even where the PPB established that the complainants had been unfairly treated.<sup>43</sup>

Competitive tendering in public procurement has largely become a competition among party loyalists and cronies who use both formal and informal rules of clientelism that favour members of the ruling coalition to win public procurement contracts. Political parties in government who benefit from the 'extractive institutions' of the public procurement system have little or no incentive to change the formal rules of sole-sourcing because, as one MP noted, 'procurement is political power'.<sup>44</sup> A procurement officer in one of the ministries explained that procurement bureaucrats are powerless in ensuring strict adherence to the formal rules of competitive tendering because 'Once you have a political master who can influence your hiring, transfer, promotion and firing then you should know your hands are tired sometimes'.<sup>45</sup> Procurement and contract irregularities at all levels of the public sector is a recurring theme in the annual reports of the AG, and our analysis here shows that this problem has little to do with low levels of technical capacity among procurement practitioners within the public sector, as often argued,<sup>46</sup> but is more the product of inherent problems of political clientelism that undermine genuine competitive tendering, transparency and accountability in procurement processes.

In the new Public Financial Management Act, 921, enacted in 2016 as part of the reform agenda demanded by the IMF for the government of Ghana to access the three-year extended credit facility, the Act contains sanctions (fines and imprisonment) against

A person who promises, offers or gives money or any other valuable consideration to another person, acting in an office or employment, (a) connected with the procurement or control of government stores, (b) connected with the collection, management or disbursement of amounts in respect of a public fund or a public trust, or (c) with the intent to influence (i) a decision or action on any question or matter that is pending or is likely to be brought before the person in an official capacity, or (ii) a person to commit

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<sup>42</sup> Public Procurement Act, Act 663, Section 3(q).

<sup>43</sup> On the website of the Public Procurement Authority are many reported cases of unfair treatment against public entities that have been administratively reviewed by the board (see the reported cases here: <http://www.ppghana.org/appealscases.asp>) (last accessed 9 November 2016).

<sup>44</sup> Hon. Kwaku Kwarteng, MP for Obuasi West, speaking on the Joy FM's Super Morning Show, 24 May 2016.

<sup>45</sup> Interview with a procurement officer in one of the ministries.

<sup>46</sup> Public Procurement Authority Electronic Bulletin, May-June, 2014,5(3): 4.

fraud against the Government or to connive with, take part in or allow an opportunity for the commission of the fraud (section 96, clause 3).

But, as we have shown, the problem of inefficient public financial management in Ghana is not due to the absence of laws specifying sanctions against political and bureaucratic officials who mismanage or steal public funds. The core problem is that the current organisation of state power protects political and bureaucratic elites who connive to commit financial fraud against the government. Dealing with the problem will require constitutional reforms to create an independent referee to prosecute financial fraud against the state. The newly elected NPP government aptly stated the problem and solution in its 2016 election manifesto, as follows:

The monopoly of prosecutorial authority by an Attorney-General, who is hired and fired by the President, has been singled out by governance experts as one of the key factors that stand in the way of using law enforcement and prosecution as a credible tool in the fight against corruption. Such institutional bottle-necks impede the fight against corruption. To this end, we intend to establish, by an Act of Parliament, an Office of the Special Prosecutor, who will be independent of the Executive, to investigate and prosecute certain categories of cases and allegations of corruption and other criminal wrongdoing, including those involving alleged violations of the Public Procurement Act and cases implicating political officeholders and politicians (NPP, 2016: 134-35).

Time will tell whether the new NPP government will actually pursue the promised constitutional and legal reforms that will re-organise power relations in the state to enable the emergence of an independent prosecutor required to promote efficiency in public financial management.

## **Conclusion**

Ghana has implemented several donor-sponsored public sector reforms in the past two decades in an attempt to improve core areas of state functionality. However, implementation outcomes of such reforms have consistently fallen short of their intended targets. Consequently, reforms have not significantly improved the performance of public institutions, and institutional performance has indeed worsened in some dimensions. This paper has argued that the nature of the political settlements in Ghana, described as one of 'competitive clientelism', is central to understanding the country's limited success in improving the effectiveness of public institutions. Ghana is a typical example of a competitive clientelist political settlement, in that ruling governments are not entrenched, but instead compete for electoral power against strong opposition groups of clientelist networks. Since the transition to electoral democracy in 1993, there has been transfer of power from ruling government to opposition party in 2001, 2009 and 2016. Faced with a credible threat of losing power to excluded factions in competitive elections, reform initiatives tend to be driven largely by the logic of the maintenance of ruling power, rather than the

potential of reforms to enhance the effectiveness of state institutions. This has often resulted in decisions that undermine reform efforts, ranging from needless and costly institutional duplication to the wholesale removal of public servants perceived to be associated with previous regimes. In this political environment, policy discontinuities across ruling coalitions are a norm, undermining the impact of reform initiatives that require a longer-time horizon to bear fruit.

Effective anticorruption systems in competitive democracies have a specific form: reducing the monopoly power of governments in the prosecution of cases of corruption and the distribution of public authority and resources is crucial to the fight against rent-seeking (Klitgaard, 1991; Grindle, 2010). To create an effective anticorruption system, it seems impossible for reform approaches to focus on 'function over form' (World Bank, 2012; Fritz, 2016). We have seen that the substantial conflict of interest problems embedded in Ghana's competitive-clientelist democracy is clearly manifested in the anticorruption institutional framework, as with the monopoly enjoyed by the government in the prosecution of corruption cases. The result is that the minister of justice and AG entrusted with the power and capacity to prosecute corrupt officials does not have an interest in prosecuting ruling party officials, given the adverse implications of this for the electoral support base of ruling coalitions. Consequently, the two main parties that have formed governments in Ghana's Fourth Republic both often resort to 'post incumbency' accountability strategies in dealing with grand corruption (CDD-Ghana, 2007). In most cases, only former officials from rival political parties are prosecuted, while corrupt ruling party officials are often required to resign from their positions, rather than being prosecuted.

There has been high-level commitment by governments in Ghana to reform the procurement rules since the turn of the 21st century. However, as Fritz (2016) has observed from World Bank-sponsored reforms in developing countries, 'Reforms that threaten private interests or patronage networks are likely to be opposed – not so much in the "broad daylight" of public debates, but more so in the actual passage of laws and/or their implementation'. In Ghana, governments have opposed attempts to reform the patronage legal rules of single source procurement and restrictive tendering that are widely used by government officials to reward party loyalists and cronies with big contracts, who in turn pay 'kick backs' into the coffers of the ruling political party. At the same time, political elites have supported the actual passage and reform of procurement laws. High-level commitment to public sector procurement reforms over a period of time will not be enough if reformers continue to bypass the deeper structural problem of government monopoly of power in the determination of the mode of procurement by public agencies. Politicians and political parties in Ghana who benefit from the winner-take-all system of constitutional democracy have shown little incentive to change the constitutional rules of the game that strengthen patronage networks. To ensure that reforms succeed in promoting efficiency in procurement, and ensuring the effectiveness of anticorruption mechanisms to check patronage in public procurement, we agree with the suggestion by Fritz (2016: 308) to pay attention to the fact that 'the political dynamics matter for where and when

public sector reforms gain traction – and apparently more so than the specific reform approach taken’. Donor agencies should move beyond the focus on technocratic fixes and legislative enactments by governments, to deal with the fundamental problem of how constitutional authority has been organised in the distribution of power and resources.

It is clear that the persistence of patronage-clientelism in Ghana’s constitutional democracy and governance vitiates many otherwise well designed public sector reforms. In what appears to be a recognition of the structural constraints to inclusive distribution of power and resources, government inaugurated a constitutional review process in January 2010. But the constitutional reform process has been stalled after the Constitutional Review Commission submitted their report in December 2011, with the recommendation that the constitutional rules should be changed ‘from the *politics of democracy* to the *economics of democracy*’, to benefit a larger group of citizens (Ghana, Republic of, 2011: 11). As our analysis here suggests, so long as incentives within the ruling government remain loaded towards winning votes through predation-fuelled patronage, and key reform implementation agencies remain subjected to executive political manipulation, the quest for state effectiveness would remain a big challenge. In this respect, financial support being channelled by donor agencies for constitutional reforms is more likely to have the desired impact if donors focus on ‘fostering engagement with multiple stakeholders with the incentive and influence to support reform’ (Levy, 2015: 244). Donors can engage influential civil society groups with interests in governance and anticorruption reforms (such as the interest demonstrated by *OccupyGhana*, as discussed under auditing reforms) to mount political pressure and influence the restructuring of the constitutional rules in a manner that promotes inclusive politics, resource distribution and accountability.

So far, the role of donors in PSR in Ghana shows that there is weak coordination of donor support, even within the same sector of reform. PSR in Ghana has been implemented as ‘ring-fenced’ donor projects in ministries, departments and agencies that largely operate as silos, lacking effective coordination. In effect, while donors have been largely responsible for introducing and supporting most key public sector reforms in Ghana, the impact of such reforms tends to be undermined by a combination of competitive clientelism and weak coordination, both across government agencies and among donors themselves. It is not clear whether donors may be able to influence and sustain reform if they are able to effectively coordinate their financial and technical supports. What is clear is that Ghana’s ruling governments will continue to turn to donors for financial and technical supports for the redesign and implementation of PSRs that have failed to achieve the desired impact. This paper has showed that the politics of competitive-clientelism practised in Ghana’s democracy has constrained the capacity of different governments to sustain the implementation of reforms necessary to create quality legal-rational institutions to facilitate socio-economic development.

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Parliamentary debates, 16 December 2015

Parliamentary debates, 16 December 2015

Parliamentary debates, 24 May 2016

## **Appendix 1**

### **Ministries covered by survey on issues of public procurement**

Name of ministry	Number of respondents
Ministry of Local Government and Rural Development	4
Ministry of Foreign Affairs and Regional Integration	3
Ministry of Finance	5
Ministry of Interior	5
Ministry of Food and Agriculture	4
Ministry of Communications	6
Ministry of Education	5
Ministry of Employment and Labour Relations	4
Ministry of Transport	4
Ministry of Health	5
Ministry of Lands and Natural Resources	3
Ministry of Water Resources, Works and Housing	4
Ministry of Tourism, Culture and Creative Arts	6
Ministry of Energy and Petroleum	4
Ministry of Roads and Highways	5
Ministry of Youth and Sports	4
Ministry of Trade and Industry	5
Ministry of Power	3
*Missing (system)	1
Total	80

## Appendix 2

### List of Interviewees and meetings with key organisations

	<b>Name and position of interviewee</b>	<b>Current organisation</b>
1	Mr Evans Habadah, vice principal, 2 October 2015	Civil Service Training School
2	Dr E. Y. Seidu, former deputy director, Recruitment and Training Directorate, OHCS; former deputy director, Cabinet Secretariat, 15 September 2015	University of Ghana
3	Mrs Patricia Agyepong, director, Recruitment and Training Directorate, 2 October 2015, 14 March 2016	Office of the Head of Civil Service
4	Mrs Bridget Katsriku, chairperson, May 2016	Public Services Commission
5	Mr. Michael Garbah, commissioner	Public Service Commission
6	Mr Emmanuel Yenge, 2 October 2015	Management Services Department
7	Dr Raymond Atuguba, former executive secretary to the president; former executive secretary, Constitutional Review Commission, 18 September 2015	University of Ghana
8	Mr Kenneth Owusu, senior policy analyst and technical assistant to the director-general, 8 October 2015	NDPC
9	Dr Isaac Frimpong Mensa-Bonsu, director, Plan Coordination Division, 8 October 2015	NDPC
10	Mr Jonathan Azasoo, principal planning analyst, 8 October 2015	NDPC
11	Nana Opere-Djan, Deputy Director, 11 March 2016	NDPC
12	Prof Kwaku Appiah-Adu, former head of policy coordination, Monitoring and Evaluation Division, Office of the President, 2003-08, 10 September 2015	Central University College, Graduate School
13	Mr Samuel Arkhurst, head, Public Expenditure Monitoring Unit	Ministry of Finance
14	Mrs Juliet Nana Yaa Opoku-Manu, project administrator, GIFMIS Project, 10 November 2015	Controller and Accountant General's Department
15	Mr Ransford Agyei, deputy director-general, 8 October, 2015	Internal Audit Agency
16	Mr Armstrong Amanor, director, operations, 8 October 2015	Internal Audit Agency

17	Hon Kwaku Agyeman Manu, chairman, MP, vice-chairperson, Public Accounts Committee (at Koforidua after PAC sitting)	Parliament
18	Hon George Loh, MP, ranking member, Public Accounts Committee (at Koforidua after PAC sitting)	Parliament
19	Mr Vitus Azeem, executive director, 29 March 2016	Ghana Integrity Initiative
20	Mrs Linda Ofori, executive director, 24 June 2016	Ghana Integrity Initiative
21	Mr Rahilu Haruna, senior monitoring and evaluation officer, 22 January 2016	Ministry of Health
22	Mr George Debrah, principal engineer, 25 January 2016	Ministry of Roads and Highways
23	Mr Matthew Ababio, director, 26 January 2016	Ministry of Lands and Natural Resources
24	Mr George Fynn, director, 22 January 2016	Ministry of Trade and Industry
25	Mr Emmanuel Adjei, assistant development planning officer, 21 January 2016	Ministry of Employment and Labour Relations
26	Ms Barbara Whyte, finance and administration, 14 March 2016	Ministry of Employment and Labour Relations
27	Mr Godwin Gadikor, planning officer, 12 February 2016	Ministry of Transport
28	Mr J. B. Okai, director, PPBME, 11 February 2016	Ministry of Petroleum
29	Mr James Nyarko, principal development officer, 12 February 2016	Ministry of Local Government and Rural Development
30	Ms Doris Yeboah, director, 1 February 2016	Ministry of Fisheries and Aquaculture
31	Mr Alfred Berko, assistant development planning officer, 1 February 2016	Ministry of Water Resources, Works and Housing
32	Mr Obeng Karikari, assistant director, 1 January 2016	Ministry of Finance
33	Mr James Kofi Gabianu, director of human resource, 9 March 2016	Ministry of Finance
34	Mr Ernest Owusu-Ansah, head of monitoring and evaluation, 2 February 2016	Ministry of Education
35	Mr George Bawuah, agricultural economist, 5 February 2016	Ministry of Agriculture
36	Ms Clarice Noyoru, programme officer, 29 January 2016	Ministry of Gender and Social Protection

37	Ms Mavis Asare Donkor, deputy director, 26 February 2016	Office of the Head of Civil Service
38	Mr Lawoetey Tettey, director of human resource, 9 March 2016	Ministry of Health
39	Mr Richard Quayson, deputy commissioner, December 2015	CHRAJ
40	Mr Felix Nii Lantey Mills, deputy director, HR, 10 March 2016	Ministry of Interior
41	Ms Sonia Warner, team leader, 6 October 2015	DFID-Ghana Office
	<b>Meetings with the following organisations in March 2016 in Accra as part of a project review team also provided relevant information.</b>	
42	Cabinet Secretariat (meeting with the Cabinet Secretary and his staff at Flagstaff House)	March 2016
43	Office of the Administrator General (meeting with the Administrator-General and his staff at the Castle)	March 2016
44	Office of the Head of Civil Service (meeting with the Head of Civil Service and his staff at the OHCS)	March 2016
45	DELIVER Project Management Team	March 2016

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