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Democratic Institutions and Political Accountability: A Case Study of Ghana's Fourth Republican Parliament

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Abstract:

The research examines the nature of political accountability exercised by the democratic institutions of Ghana focusing on the legislature of the Fourth Republic. Specifically, it investigates how members of Parliament exercise horizontal accountability to hold the executive in check to avoid the abuse of office based on the theory of separation of powers and checks and balances. Using personal interviews and administration of questionnaires on Members of Parliament, the study finds that only the committee system and the budget approval system prove to be effective tools used by the legislature in holding the executive accountable. However the provisions of Article 78(1) and politicization of issues in Parliament has made the institution very weak in holding the executive politically accountable.

Keywords: Political Accountability, Ghana's Fourth Republic, Horizontal Accountability; Legislative Control, Separation of Power, Check and Balance, Parliament, Democratic Institution

1. Background

We hold this truth to be self-evident, that all men are created equal, that they are endowed by their creator with certain inalienable rights that among these are life, liberty and the pursuit of happiness. That to secure these rights, government is instituted among men deriving their just power from the consent of the governed

(Thomas Jefferson in Adams, et al. 1988)

A notable clause of this declaration is that government is instituted among men, deriving their just power from the consent of the governed. This clearly means that governments arise out of the unfettered will or consent of the people to seek for their interest. It holds therefore that governments are accountable to the people that gave them the power. Political accountability is where governments are responsible and answerable to the principal right bearer of the mandate given to them. Thus, governments are supposed to act accordingly and in response to the needs of the people. Political accountability has been expressed by pundits to be the nectar of democracy. Political accountability is the very vein in which democracy thrives. In the bid of many governments to achieve accountability, there have been various accountability and transparency programmes such as meet the press series, question time in parliament etc. which have been instituted by various governments in order to achieve political accountability. This notion of accountability has been based on the requirement of the elected officials being accountable to the electorate as can be inferred from the words of Thomas Jefferson. James Madison also asserts that, "If men were angels there will be no need for government".

Montesquieu makes a stronger case of this with his principle of separation of powers, which has become an integral component of many government systems in the world. Political accountability can be vertical or horizontal. Vertical accountability is the more common one and it rests on the 'top-bottom' approach whereby the electorates hold the elected (government officials) accountable in the administration of the state. On the other hand, horizontal accountability deals with the arms of government holding one another accountable and it thrives on the principle of separation of powers and checks and balances. In the modern state, there are

primarily three major institutions or organs of government- the legislature, the judiciary and the executive - with respective responsibilities for processing the inputs and determining general outputs of policy decisions (Easton 1981). These institutions are supposed to be autonomous in structure and in role. At the same time, they are interdependent and coordinate the performance of their various functions and the administration of the state.

The main focus of this research is on horizontal accountability and it examines how the legislature holds the executive accountable. The legislature is a type of deliberative body with the powers to pass, amend and repeal laws. The law passed by a legislature is called legislation, Act, or statutory law. Legislatures are known by many names; the most common being Parliament and Congress. In Ghana the legislature is referred to as Parliament. In parliamentary system of government, the legislature is supreme, however in the presidential system, the legislature is considered as a power branch which is equal to and independent of the executive and the judiciary. Although legislatures all over the world perform certain common functions, they differ in structure, composition and even in the scope of their powers from state to state.

The 1992 Constitution of Ghana, succinctly states the composition and functions of the Parliament. Article 93, Clause 1 of the constitution states that “there shall be a Parliament of Ghana which shall consist of not less than one hundred and forty elected members”. Clause 2 goes on to state that “subject to the provisions of this constitution, the legislative power of Ghana shall be vested in Parliament and shall be exercised in accordance with this constitution”. This is to say, the powers vested in the legislature are granted by the constitution. Thus, the political accountability function of the legislature is of much importance to the electorates and the other arms of government. This function helps to check the excesses of the executive arm of government in the country and also disallow any autocratic tendencies. The role of the legislature raises the question on how the limited powers granted to Parliament by the 1992 constitution of Ghana affects its ability to hold the executive politically accountable?

1.1. Problem Statement

The need for citizens to feel part of the government and actually participate in electing governmental officials and keeping them accountable has been espoused by political philosophers like Cicero and St Thomas Aquinas who believed in the strengthening of institutions. Many philosophers place the onus of ensuring political accountability on the legislature. In recent times, some scholars have discussed the composition of various legislatures in different countries while some have focused on how accountability or effectiveness is achieved by the committees in parliament as well as ways to promote democracy to the highest peak. This study seeks to examine the theories espoused by scholars and also ascertain how these theories impact on the efficiency role of Parliament in promoting horizontal accountability in government.

Mill (1862) in a research on Congress indicated that in a representative democracy the legislature acts as the eyes, ears, and voice of the people. He argues that the proper duty of a representative assembly is to watch and control the government, to increase transparency, scrutinize and censure governmental actions found condemnable. In a nutshell, Mill (1862) emphasizes why congress in the United States should be made the central democratic organ. Przeworski et al, (1999) state that whether in new or old democracies, contemporary demand for public accountability usually share (at least implicitly) one core assumption: elections however competitive, free and fair are by far themselves too weak to guarantee “decent” government. Generally, the belief has been that a government that does not render accountability to the electorates will be punished at the polls. However, Przeworski et al (1999) believe punishment at the polls is not a sufficient mechanism of achieving accountability. They therefore proposed that governments should not only be accountable to citizens but must also be subjected to restraints and oversight by other public agencies and arms of government.

Levey and Kpundeh, (2004), also assert that political accountability cannot only be ensured by the citizenry through the polls but there is also the need for public agencies to serve as a restraint on government. They identified maladies in government processes and proffered that the independence and the strength of the legislature in relation to the executive branch, and the formal powers accorded the legislature by the country’s constitution affect the policy making process, including the budgetary process. They used three African countries namely Ghana, Benin and Kenya as case studies and concluded that there is the need for strong legislatures to ensure that there is political accountability. Debrah (2009) in his research on how quality accountability can be achieved in Ghana’s democracy supported the exposition of Ayee (1992) and Rondinelli, et al. (1989) that to improve popular participation, transparency, empowerment and responsiveness, the overwhelming enthusiasm for decentralisation has come to centre on accountability of elected local leaders to the people. He concluded that if accountability can be achieved at the lowest level, then there should be effective decentralization.

Adufa-Ntiwaa et al (2010) in trying to achieve the same results, analysed the executive dominance over the legislature, the checks and balances role of the legislature, lack of recognition from the masses and sections of the constitution which are inimical to the performance of the legislature. They made reference to article 78(1) of the constitution which states that majority of ministers should be selected from parliament as one of the setbacks for the legislature of Ghana. According to them, the provision of the constitution undermines parliamentary effectiveness because some parliamentarians double as ministers and are duty bound by the principle of collective responsibility and their appointment to support and defend publicly the President’s stated position on a policy issue, even if majority of the parliamentarians do not agree on the stated positions.

Stapenhurst and Pelizzo (2012) in discussing the importance of parliamentary oversight tools indicate that the committee system in parliament is a sure way of strengthening political accountability because the special or ad-hoc committees are made up of members of different political parties that helps imbibe and enhance the oversight function of political parties. However, the committee system has some challenges such as public accounts committee not having prosecutorial powers. The implication is that the public account committee can find an institution guilty or ultra vires but not be able to implement its decision. Thus public accounts committees can only perform their functions of scrutiny because they have been constitutionally empowered.

Przeworski et al (1999) and Levey and Kpundeh (2004) talk generally about the need for accountability in the governance structure. Mill (1862) puts it more aptly when he states that the legislature serves as the eye, ears and the voice of the people. Their argument presents a strong case for the need for the legislature to take a lead role in holding the executive accountable to the people. However, neither of the authors situates the theory of accountability in the Ghanaian context, which creates the impression that political accountability is alien to the Ghanaian political system.

However, Debrah (2009) contextualizes the accountability theory by prescribing how it can be achieved in the Ghanaian democratic governance. Adufa- Ntiwaa, Mensah and Yeboah, (2010) narrow in to discuss the functions of the legislature in the Fourth Republic of Ghana. Even though the authors discuss the functions of the Ghanaian Parliament in the Fourth Republic, none of them delved deeper to discuss the role the legislature plays in achieving horizontal accountability especially over the executive. Therefore this study seeks to fill that void in the existing literature. The aim of the study is to examine how the limited powers granted to the Parliament by the 1992 constitution affect Parliament's ability to hold the executive accountable on behalf of the people.

Political accountability ensures that the people hold their elected officials accountable for the actions and inactions. As representatives of the people, the legislature is supposed to hold the executive accountable on behalf of the people and in order to perform their role effectively, the legislature needs enormous powers to realise this function. However, the provisions that set up the legislature and the 1992 constitution grips the wings of the legislature in the sense that much power has rather been concentrated in the executive making it very difficult for the legislature to enforce its accountability oversight over the executive. An example is article 78(1) where the President is obliged to appoint majority of the ministers from parliament.

This article makes it difficult to achieve horizontal accountability because the ministers appointed double as members of parliament and judge on their own case when issues relating to the executive are subjected to legislative scrutiny. Moreover, the nature of the setup of the standing and select committees also makes it difficult for the legislature to perform its accountability function. With the exception of the public accounts committee, most of the committees have the positions of chairman and vice chairman occupied by members of the incumbent government. In addition, these committees also have majority of its members from the ruling party. Therefore, the committees find it difficult to critically and objectively scrutinize the executive.

This study undertakes a purely objective and detailed intellectual analysis of the accountability role of the legislature to ascertain the extent to which the legislature has been subjected to the corrosion of its role and powers in the governance system. Specifically, it examines how the legislature holds the executive accountable and how the legal structures can be structured to give the legislature more power to promote transparency, responsiveness and effectiveness in the executive arm of government. In other words, it will provide knowledge on how effective the legislature can ensure that the executive is responsible to the electorate for proper administration of the state. The provision of such knowledge will fill the gap in literature on the horizontal accountability between the legislature and executive arms of government.

1.2. Concept of Accountability

Accountability has now become a generic term such that trying to define it has become problematic. The Oxford Advanced Learner's dictionary defines accountable as an adjective for being responsible for your decisions or actions and expectation to explain them when asked. The word accountability is derived from the word "account" - to account for one's actions. The concept of accountability is closely related to accounting. The word literally comes from book keeping. According to Dubnick,(2002), the roots of the modern concept can be traced to the reign of William I in the decades after the 1066 Norman conquest of England. William I required all property holders in his kingdom to render "a count" of what was in their possession. The possessions were valued and listed by royal agents in the Domesday Book. This was not just done for taxation purposes but it also established the formulation of royal governance. The Domesday Book listed all what was in the king's realm and also land owners were made to swear an oath of allegiance. Later on, this system evolved into a highly centralised administrative kingship which was ruled through centralised auditing and semi-annual account giving. In modern times, the concept of accountability has evolved from taking a count of properties of subjects to demanding accountability from leaders (Bovens 2005), and this notwithstanding the definition of accountability is still something that scholars grapple with.

In that context, accountability is defined as a social relationship in which an actor feels an obligation to explain and to justify his or her conduct to some significant other (Day and Klein, 1987:5; Romzek and Dubnick 1998: 6; Lerner and Tetlock 1999: 255; McCandless 2002:22; Pollitt, 2003:89). This definition contains certain variables, which include that the actor or accountor can either be an individual or an agency. In addition, significant other which is also called the accountee can be a specific person or agency. Furthermore, the relationship between the two usually consists of three elements or stages. Firstly, the actor must feel obliged to inform the accountee about his conduct by providing data about his conduct or performance of his tasks, outcomes and procedures. In the case of failures or incidents there must be provision of justification. The obligation that is felt by the accountee can be formal or informal. Secondly, there needs to be a possibility for the forum to interrogate the actor and to question the adequacy of the information or the legitimacy of the conduct. Thirdly, the forum may pass judgement on the conduct of the actor. It may approve of an annual account, denounce a policy, or publicly condemn the behaviour of an official or an agency. In passing a negative judgement, the forum frequently imposes sanctions of some kind on the actor.

Gray and Jenkins (1986) define accountability as an obligation to present an account of, and answer for the execution of responsibilities. There are basically two types of accountability these are internal and external accountability. Internal accountability is concerned with individual responsibility and the concern for the public interest expected from public servants, whilst external accountability is where an individual or agency is answerable to another person or body outside the person or body being held accountable. This meaning connotes a sort of interaction or exchange between two people or bodies. This is because

one party (the one calling for the account) seeks answers and responses. This type of accountability has an implicit right of authority from the principal to the agent.

According to Mulgan (2007), in the context of a democratic state, the important accountability relationship is between the citizens and the holders of public office within the ranks of office holders and between elected politicians and bureaucrats.

Based on the Nature of the Actor	Based on the Nature of Conduct
Corporate accountability Hierarchical accountability Individual accountability Collective accountability	Financial accountability Procedural accountability Product accountability
Based on the Nature of Obligation	Based on the Nature of Forum
Vertical accountability Horizontal accountability Diagonal accountability	Political accountability Legal accountability Social accountability Administrative accountability Professional accountability

Table 1: Types of Accountability

The core accountability issues have been how voters can make elected representatives answer for their policies and accept electoral retribution and how legislators can scrutinize the actions of public servants and make them answerable for their mistakes, as well as how members of the public can seek redress. Democracy will only be a paper procedure if those in power cannot be held responsible by the public for their acts and inactions, for their decisions, their policies and their expenditures.

Therefore this work has external accountability as its main focus because in politics, perception is a very important tool in rallying the citizens to support the state. Since internal accountability cannot be assessed by citizens and help them gain trust and confidence in the state and its agents, it is just prudent to focus on external accountability because by doing so a sense of trust and confidence of the state will be gained by citizens and this will motivate them to support the cause of the state. There are different types of external accountability, Bovens (2005) and argues that there are different types of external accountability and these are categorised based on the nature of accountability.

1.3. Political Accountability

Political accountability involves a relationship between two parties where one – the agent (A) –is expected to perform certain tasks in response to expectations held by another party, usually referred to as the principal (P). As Lindberg (2009) discusses, this relationship is typically confined to a specific domain. Lawson and Rakner (2005: 9) argues that as a relationship between a bearer of a right or a legitimate claim (P) and the agent (A) responsible for fulfilling or respecting that right. Lawson and Rakner (2005: 9).

The principal sets the terms under which the agent must report on actions taken within the relevant domain and what sanctions can be directed toward the agent if the terms are not met. Accountability, then, centres on two central criteria: (1) responsiveness and (2) answerability. Responsiveness is the extent to which the agent has acted in a manner that meets the expectations of the principal. Answerability refers to how far the agent has given a truthful report on what measures have been taken and with what consequences. Responsiveness involves a reference to *what* has been done. Answerability is more complicated and demanding since it includes the responsibility to report not only on what was done but also *how* it was accomplished.

According to Bovens (2007:455), political accountability is an extremely important type of accountability within democracies; hence accountability is exercised along the chain of principal-agent relationships. Voters delegate their sovereignty to popular representatives who in turn delegate many of their authorities to a cabinet of ministers. The ministers subsequently delegate many of their authorities to the bureaucrats or to various less independent administrative bodies. This idea is rooted in the very construction of the state which is explained by Thomas Hobbes and John Locke in their social contract theories. According to Locke men came together to form a society or government with the sole responsibility of protecting life, liberty and property. It stands to reason that certain mechanisms will have to be put in place to make these objectives achievable. Therefore there was the need for institutions and laws. Government therefore was created with its accompanying structures to aid in the governmental process and this has brought about the need for political accountability both from citizens and institutions.

There are three types of political accountability and they are;

- Vertical accountability
- Horizontal accountability
- Diagonal accountability

According to Bovens (2007:460), vertical accountability refers to the situation where the forum formally wields power over the actor perhaps due to the hierarchical relationship between actor and the forum. Mostly, political accountability which is based primarily on the delegation from principal to agent is vertical accountability. Hyden (2010) holds that, vertical accountability can be divided into two sub-types: (a) electoral accountability in which citizens delegate political power to their representatives and hold them accountable through periodic elections, and (b) societal accountability in which citizens check the use of government power via such means as the media, civil society organizations and popular protests. Horizontal accountability on the other hand is

the mutual accountability between bodies on equal footing. Horizontal accountability also refers to the intra-governmental control mechanisms between the different branches. An example is the executive, legislature and judiciary being accountable to one another.

Bovens (2007) defines horizontal accountability as a form of accountability where a hierarchical relationship is generally lacking between actor and forum. It is also defined as institutions of the state or quasi state institutions that both check each other and are mutually supportive of each other to make government work. In the case of Ghana, the situation whereby the executive renders accountability to the legislature is a typical form of horizontal accountability. This is because they are both on the same footing and the 1992 constitution makes it a formal requirement for the executive to do so. Whether in new or old democracies, contemporary demand for public accountability usually share (at least implicitly) one core assumption: elections (however competitive, free and fair) are by themselves too weak to guarantee decent government, hence, the need for horizontal accountability because if government is not checked both by the citizens and institution of the state, it will be tyrannical, abusive and will depart from the main purpose of its establishment; Adams et al (1988). Therefore, both vertical and horizontal accountability are needed for effective governance in the state.

Another form of political accountability is what is termed as diagonal accountability. This is where independent bodies of the state such as ombudsmen, audit services etc. and quasi state institutions stand in no direct hierarchical relationship to public organisations and have few powers to enforce compliance and yet serves as a check on the organs of government. It is also important to include an external type. It includes regional African institutions like the African Union, ECOWAS and the East African Community, and perhaps, the donor agencies, whether bilateral or multilateral, like the International Monetary Fund and the World Bank.

1.4. Importance of Accountability

According to Bovens (2007), there are three basic importance of political accountability namely;

1.4.1. Democratic Perspective: Popular Control

Political accountability is very important from a democratic perspective because it helps citizens to control those holding public office. This approach reaches back to the tenets of Rousseau and Weber and has been theoretically defined using the principal-agent model. Modern representative democracy is described as a concatenation of principal-agent relationships. The people, who are primary principals in a democracy, have transferred their sovereignty to an executive president who in turn appoints ministers to help him carry out his mandate. The ministers subsequently entrust the execution of their task to the many thousands of public servants of the ministries, who proceed to delegate part of their tasks to more or less independent bodies and institutions. In due course, the public organisations of the executive arm, at the end of the chain have the task of spending billions of taxpayers' money using their discretionary powers to furnish licenses and subsidies, impose fines, and for jailing the offenders of the law. Each principal in the chain of delegation seeks to monitor the execution of the delegated public task(s) by calling the agent to account. At the end of the accountability chain are citizens who pass judgement on the conduct of the government and who indicate their displeasure by voting for other popular representatives. Hence political accountability is an essential condition for the democratic process as it provides the peoples representation and the voters with the information needed for judging the propriety and effectiveness of the conduct of government.

1.4.2. The Constitutional Perspective: Prevention of Corruption and Abuse of Power

A classic benchmark in the thought of accountability is found in the liberal tradition of Locke, Montesquieu and the American Federalist Papers to name but a few. The main concern underlying this perspective is that of preventing the tyranny of absolute rulers, overly presumptuous elected leaders or of an expansive and privatised executive power. The remedy against an overbearing, improper or corrupt government is the organisation of "checks and balances" of institutional countervailing powers.

1.4.3. The Learning Perspective: Enhancing Government Effectiveness

The purpose of political accountability is also to induce the executive branch to learn. The possibility of sanctions from clients and stakeholders in their environment, in the event of errors and shortcomings motivates them to search for more intelligent ways of organising their business. Moreover, the public nature of the accountability process teaches others in similar positions what is expected of them. Accountability mechanisms induce openness and reflexivity in political and administrative systems that might otherwise be primarily inward looking. Lindblow (1965) referred to the intelligence of democracy. The superiority of the pluralist democracy to that of other political systems lie in the greater number of incentives it contains to encourage intelligence and learning in the process of policymaking. Accountability is a crucial link in this approach as it offers a regular mechanism to confront administrators with information about their own functioning and forces them to reflect on the successes and failures of their past policy.

Aside these direct benefits of political accountability, there are also indirect merits derived from political accountability:

- It can help to ensure that the legitimacy of governance remains intact or is increased. This effect is partly the consequence of other effects (democratic control, a power equilibrium and responsiveness enhance the legitimacy of the administration). Media, interest groups and citizens are all adapting an increasingly more critical attitude towards the government. Respect for authority is fast dwindling and the confidence in public institutions is under pressure in a number of Western countries according to Elchardus and Smits (2002). Processes of accountability in which administrators are given the opportunity to explain and justify their intentions and in which citizens and interest groups can pose questions and offer their opinions, can promote acceptance of government authority and the citizens' confidence

in the government administration according to Aucoin and Heintzman (2000). Also in the case of tragedies and failures, processes of public account giving may also have an important ritual, purifying function i.e. they can help to provide public *catharsis*.

- Political accountability can help to bring a tragic period to an end because it can offer a platform for the victims to voice their grievances and for the real or reputed perpetrators to account for themselves and to justify or execute their conduct. Bovens (2007) holds that, this can be an important secondary effect of parliamentary inquiries, official investigations or public hearing in cases of natural disasters.

1.5. Indicators of Political Accountability

Due to the generic nature of the term 'accountability', it is very difficult to define it. This is because the components of accountability are not well defined and the few components provided in literatures are also a whole term on its own. In a speech by the former commissioner of the Commission on Human Rights and Administrative Justice (CHRAJ), Justice Emile Short, he identifies indicators of political accountability as transparency, answerability and responsiveness. The problem with these indicators is that, though their existence brings about a perception of accountability, the levels of existence are problematic, its levels of existence are problematic, it is difficult to pinpoint at occasions of their existence. In the case of Ghana especially, what has been termed to be transparent is what the government decides to let people know and it is often issues that will score the government political points for their next elections.

Responsiveness has been misconstrued to mean fulfilment of campaign promises by government.

All these issues have been compounded by the lack of very aggressive media and civil societies as well as media houses that align with political parties. Therefore in this research, our focus is to examine how effective Parliament is in the attainment of political accountability and what accounts for the continuous existence of effective political accountability being achieved in the Ghanaian political system.

1.6. Democratic Governance in the Fourth Republic

To ensure the effectiveness of democracy, certain governmental structures such as the three arms of government; the executive, the legislature and judiciary as well as the constitution of the country must be keenly adhered to. These structures must be independent to an extent but yet checks are exercised in order to avoid the excesses of government. Our focus here is on the democratic governance of Ghana in the 4th republic.

Ghana's parliament dates back to 1850 Gold Coast which was given its own legislative council to advise the colonial government in enacting legislations mainly in the form of ordinances for peace and order but this legislature was mainly an advisory body and the executive was not bound by its advice.

Through the colonial era, the substantive constitutions all had a legislative council in which the local or indigenous membership increased with time and served as a foundation for the Parliament. The changes were evident in the 1916, 1946, 1954, 1957 and 1960 constitutions. Ghana achieved independence on 6th March 1957. The political struggles that preceded this historic event go back over hundred years as mentioned earlier. The struggle for independence created awareness and desire politically to assert the right for self-determination for both individuals and the state. At independence the Westminster model was adopted with one National Assembly known as Parliament.

Ghana became a one party state in 1965 through constitutional amendments championed by President Nkrumah and the multiparty national assembly was dissolved. In February 1966, the 1st Republican government was overthrown by the military government. The military ruled the country until 1969 when another constitutional election was held that remained in power until another constitutional election was held in 1969 that restored parliamentary rule. This second republic lasted for 22 months in office, and was toppled by another coup. Ghana returned to democratic government in 1972 under the third republican government which was overthrown in 1981. After about ten years of military rule, the country returned back to constitutional government in 1992 under the fourth republic and it has existed to date.

The 1992 constitution is the cornerstone of the Fourth Republic (Gyimah-Boadi, 2001). It recognises the Parliament of Ghana as the sole law making branch of government with autonomy over its agenda. Article (93) of the constitution empowers Parliament to authorize public expenditure, impose and waive taxes, authorize grants as well as receive loans (Article 174, 178, 181). Also parliament has legal oversight authority over the budget and is empowered to approve the appointment of ministers nominated by the President. It is essential to note that, the president has no right to unilaterally amend the laws of the country, dissolve parliament or rule by decree. The use of the oversight function of parliament which is the power of the legislature to supervise the executive is very essential in our study

It is worth knowing that, good governance is the driving force behind parliamentary oversight and the accountability role of the legislature in general. Good governance does not take place in a vacuum. It only happens under able and very effective institutions of the state, the Parliament being one of such institutions performs a herculean task. Members of Parliament have numerous functions to play to ensure the effectiveness of the legislature and they also face a lot of pressures in accomplishing or carrying out their roles.

The Parliament of Ghana as it stands now comprises 275 members. The means of performing the oversight responsibility over the executive as assigned to the legislature by the 1992 constitution is stipulated in the Order of Parliament. Every member of the house is appointed to at least one of the committees. There are select committees and standing committees. The select committees have oversight over the responsibilities of the various ministries (Article 103)

Parliament also has power of impeachment of both the president and vice president as well as ministers of state. In spite of all these inbuilt mechanisms forensuring accountability of the executive, it appears parliament is not very effective in performing its oversight responsibilities. The reasons adduced ranges from constitutional issues to practical issues.

On the constitutional issue, numerous scholars including Warren (2005) have criticised the provisions of the constitution enjoining the president to appoint majority of his ministers from parliament (article 78). This provision coupled with the fact that since 1992, the victories of presidents have been tied to majority of members in parliament make it very difficult for parliament to hold the executive accountable. Members of parliament on the majority side, who aspire to be ministers, act in a subservient manner towards the executive in order to realise their ambition which they deem more prestigious and lucrative than being just members of parliament. Also, those who have been appointed as ministers find it difficult to criticise or scrutinize the work of the executive of which they are members themselves. Clearly an issue of conflict of interest arises and makes parliament ineffective in achieving horizontal accountability.

To worsen the case, is the fact that many MPs who are appointed regional ministers find themselves far removed geographically from the seat of parliament and cannot devote enough time to any parliament business. The second issue is the fact that Article 108 stipulates that;

“Parliament shall not, unless the bill is introduced or the motion is introduced by, or on behalf of the President —

- Proceed upon a bill including an amendment to a bill that, in the opinion of the person presiding, makes provision for any of the following
 - the imposition of taxation or the alteration of taxation otherwise than by reduction; or
 - the imposition of a charge on the Consolidated Fund or other public funds of Ghana or the alteration of any such charge otherwise than by reduction; or
 - the payment, issue or withdrawal from the Consolidated Fund or other public funds of Ghana of any moneys not charged on the Consolidated Fund or any increase in the amount of that payment, issue or withdrawal; or
 - the composition or remission of any debt due to the Government of Ghana
- Proceed upon a motion, including an amendment to a motion, the effect of which, in the opinion of the person presiding, would be to make provision for any of the purposes specified in the paragraph of this article.

Legally only the Executive can introduce in Parliament any bill that imposes a charge on the consolidated fund, or imposes taxation etc. This requirement has come about as a result of the interpretation given to this article by parliament itself. What this means in effect is that policy and reform initiatives to address the needs of the citizen which require legislative action can only be introduced by the executive. This sort of limits the ability of parliament to make laws or introduce bills that will ensure and enhance critical scrutiny of the works of the executive. A case in point is the failure to pass the freedom of information bill. And this has greatly made the Parliament of Ghana inefficient in achieving political accountability. The late and former speaker of parliament Rt. Hon Peter Ala Adjetey aptly captures this when he says; “by the stroke of the pen, there was taken from parliament one of its most important weapons or tools for securing control over or compliance by the executive namely what has been described as the power of the purse.”

The other factor affecting parliament is the structure of the committees in parliament. According to Standing Order (162) all committees aside the public accounts committee (PAC) should be chaired by members of the majority in parliament which also happens to be the party with executive power (this includes the first deputy speaker). This issue coupled with the fact that the committees also have majority of its members from the majority side of parliament makes it difficult for any proper scrutiny to take place.

Moreover the executive has a more direct presence in parliament through the ministers, the majority of whom the president appoints from among members of parliament. The executive is further represented in parliament through ministers and deputy ministers who are not members of parliament but can participate in the business of parliament except voting. At crucial moments in the work of the parliament, these ex-officio members of parliament could reinforce the presence of their colleagues by actively and aggressively canvassing for the president’s policies and programmes during the deliberations of parliament. This helps the executive to push through their policies without much scrutiny. This was very evident during the debate on the STX deal (Ninsin, 2008).

1.7. Political Party Affiliation and Its Impact on Political Accountability

Political party affiliation plays a very significant role in hindering parliament from exercising effective control and check over the executive. (Seyd and Whiteley 2004) describe a ‘high-intensity’ participation in politics as a medium through which one gets to meet like-minded people and for some, this is motive enough for getting involved. This is to say, right from the onset, people do not join political parties to actually promote public interest but rather for their selfish gains.

Kitschelt (1989) makes it clear that political parties are made up of diverse interest groups, and within such organisations competition often leads to disagreement over policy goals and how to implement them. Though not often, it is no wonder that, the general rule of collective responsibility which also juxtaposes effective political accountability is sometimes overlooked.

The functions of parties in Africa are often said to differ considerably from those in the advanced industrial democracies. Indeed, many Africanist political scientists have argued that political parties have largely been the ‘vehicles of individual politicians’ or ‘ethnic mobilisation’ (Boafo-Arthur 2003; Mozaffar, et al. 2003; Rakner, et al. 2007; Van de Walle 2002. This is to say, in a typical African country like Ghana, the political parties do not necessarily play the roles they are supposed to, but rather individualistic tendencies set in.

Kitschelt and Wilkinson (2007:11) assert that public goods in modern societies are typically valence issues i.e. goods for which popular preferences are skewed toward the extreme, so that politicians compete not over whether to provide them, but rather over

making credible claims that they have the capacity to deliver them. Thus members of parliament only deem it a pride to boast about their capacity to provide certain social amenities but these never materialize.

The 1992 parliamentary elections produced a contested parliament. An alliance of opposition parties led by the New Patriotic Party (NPP) had boycotted the parliamentary elections on the grounds that the presidential elections, conducted earlier had been manipulated. The National Democratic Congress (NDC) which had won the controversial presidential elections took 189 of the 200 parliamentary seats, the National Convention Party (NCP) and the Every Ghanaian Living Everywhere (EGLE) party, both electoral allies of the NDC won 8 and 1 seat respectively. Two other seats were won by independent candidates. This gave the NDC a virtual control over Parliament. The executive therefore had a leeway as far as parliamentary oversight was concerned (Ninsin 2008).

The 1996 parliamentary election changed the balance of power in the legislature. The National Democratic Congress (NDC) won the presidential elections with 133 (65%) of the 200 seats in the legislature; the NPP obtained 61 (30.5%) of the seats; The Peoples Convention Party (PCP), 5 and the Peoples National Convention 1 seat. This brought the NDC face to face with its arch rival in Ghanaian politics; the NPP. The NPP was determined to employ its control of 30.5% of parliamentary seats, in alliance with the 6.0% by the other parties, to check the overwhelming power of the NDC in the second parliament. The NDC was also determined to maintain the political dominance it had established in the two successive elections (Ninsin, 2008).

The rage of contest between these two parties in the house has made parliament weak and has tainted most of the efforts of parliament to hold the executive accountable with partisan politics. This can be seen in the major issues that the house has dealt with in between 1998 to 2001. Examples are;

- Value Added Tax Bill
- Appointments Committee and vetting of Presidential Nominees.
- Ghana Education Trust Fund Bill

Although the VAT bill, Appointments Committee and Vetting of Presidential Nominees predate the period stated above, it transcended into the period between 1998 and 2001.

Attempts by the minority to hold the executive accountable is seen by the majority side as an attempt to make the government unpopular. Hence there is a strong resistance to these attempts by the minority. This inter party play of partisan politics is also due to the nature of the politics practiced in Ghana. The coming into government of a political party, sort of renders the executive and legislative arms of government into the hands of the party leadership. The party thus gets the power to decide who is fit to serve in government. All members of other political parties are seen as enemies and are thus left out. This system is called winner takes all and it subsequently culminates into the dismissal of public servants who are deemed not to be supportive of the party in government. Due to the nature of the politics practiced, members of the ruling party are given appointments into ministerial portfolios, departments, agencies and boards of public institutions. Members of parliament are not excluded from these types of appointments. Therefore they are willing to do everything to keep the party in power in order to continuously enjoy the perks and prestige that comes with these appointments. Hence accountability concerns by members of parliament especially the majority side is thrown outside the window. And any attempt by the opposition in parliament to haul the executive in over any issues of accountability is strongly resisted as such that attempt is seen as a threat to the continuous stay in office and continuous enjoyment of the perks associated with being in power.

1.8. Theoretical Framework and Methodology

The focus of our study relates to the tenet of the theory of Separation of Powers and Checks and Balances. The above were propounded by Baron de Montesquieu and A.V Dicey actively. In Baron de Montesquieu *Espirit des Lois*, published in 1748, he held that when the legislative and executive powers are united in the same person or body of persons there can be no liberty because of the danger that the same monarch or senate should enact tyrannical laws and execute them in tyrannical manner. John Locke in his book "*The Second Treatise of Government*" also makes a strong case for the establishment of government and the purpose for which governments are instituted. Thus, in order to ensure that the government serves the purpose for which it was instituted, there is a need for all the organs of government to serve as "watch-dog" on one another (checks and balances). This is to ensure that governments do not become perverted. For instance, a monarchy could turn into an autocracy if the necessary check mechanisms are not put in place. If governments will be accountable, they will have to be accountable to the people or electorates who gave them the mandate. And which organ serves as a reflection of the variety, the hues and shades of the society better than the legislature?

With this idea in mind, the framers of the 1992 Constitution of the Republic of Ghana separated the various arms of government by vesting the powers of legislation, administration and adjudication in three separate organs of government. It went further to place the functions of budget approval, approval of nominees by the executive arm of government, oversight responsibilities of ministries and the passing of bills in the hands of the legislature. This is to limit the powers of the executive because political power is derived from the consent of the populace; thereby making the legislature the befitting custodian of such duties. The principle of separation of powers enables the legislature to hold the executive accountable for their actions and inactions on behalf of the people.

1.9. Research Questions

1.9.1. Main Research Question

The main question for this research is;

How do the limited powers granted to Parliament by the 1992 constitution of Ghana affects Parliament’s ability to hold the executive politically accountable

1.9.2. Subsidiary Research Questions

In addition, these are posed to elaborate on the research question

- How does political party affiliation affect the performance of the legislature in keeping the executive responsive and transparent?
- How does the committee system ensure transparency in government?
- How does the budget approval power of the legislature ensure that there is strict and efficient use of public funds?
- How does the power of the legislature to summon ministers to answer questions put pressure on the executive to avoid abuse of office?

1.10. Data Collection

Data was collected from both primary and secondary sources. The primary source was solicited from the field through interviews. This served as first-hand information for this research. The secondary data was sourced from journals, books and other scholarly articles as well as the internet. More so, the target population or people of interest of this research are parliamentarians, who were purposively sampled. Currently there are 275 members of parliament. Out of this, fifty-one (51) questionnaires were administered to fifty-one parliamentarians who represent about 19% of the entire population to solicit responses from them. The research was conducted on 25th February, 2014 as questionnaires were administered to the parliamentarians that were chanced upon. Therefore the process of administering the questionnaires was accidental. A semi structured questionnaire was administered to the parliamentarians through a face to face interview. This afforded the researchers the opportunity to ask follow up questions on the issues under study.

Data was also collected from a cross section of students, legal practitioners, civil societies and political science lecturers. The focus on these participants was to measure their perception of issues of accountability in the country as far as the legislature and the executive are concerned. Therefore, researchers approached the students’ category in an accidental manner on KNUST campus and administered 40 of the questionnaires to political science students. Questionnaires were also administered to five (5) lecturers at the political science department purposively. The remaining five (5) questionnaires were administered to legal practitioners in the Kumasi metropolis purposively depending on how easily the researchers could get access to the person. In all fifty (50) questionnaires were administered. Therefore, in all 101 questionnaires were administered to both parliamentarians and the general public. Data from the field was coded into numeric and computed through the Statistical Package for Social Sciences (SPSS) data matrix for analysis.. The processed data was analysed using tables, pie charts and bar charts generated from the SPSS where applicable.

1.11. Findings

The analysis of the data provided the following findings:

1.11.1. Personal Information of Respondents

- Sex of respondents

Table 2 shows the sex distribution of respondents. From the table, it can be deduced that majority of the respondents were males while a few of them were females. Statistically, males constituted 74.5% whereas females constituted 21.6%. This has supported that fact that males constitute majority in parliament.

Sex	Frequency	Valid Percent
Male	38	77.6
Female	11	22.4
	49	100.0
Missing System	2	
Total	51	

Table 2: Sex of Respondents
Source: Field survey, 2014

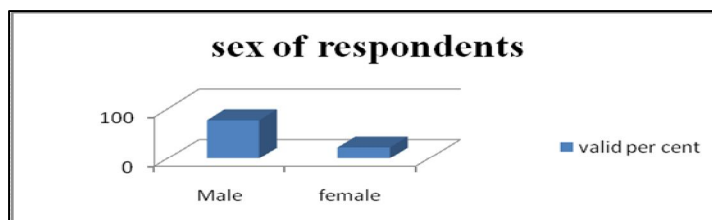


Figure 1: Sex of respondents

• Party Affiliation of Respondents

From table 3, it can be inferred that majority of the respondents were affiliated to the NPP of which they accounted for 52% of the total respondents interviewed. The NDC followed with 46% of the total respondents interviewed. Lastly, CPP accounted for 2% of the total respondents as shown in table 3. The predominance of NPP over NDC has violated that fact that NDC constitutes majority in parliament. This might be due to the fact that at the time of the survey NPP members of parliament were more available than the NDC members of parliament. However, the small proportion of the respondents of the CPP members of parliament has validated that fact that CPP constitute small percentage in parliament.

Party	Frequency	Valid Percent
Npp	26	52.0
Ndc	23	46.0
Cpp	1	2.0
Missing System	1	
Total	51	

Table 3: Party of Affiliation of Respondents
Source: Field survey, 2014

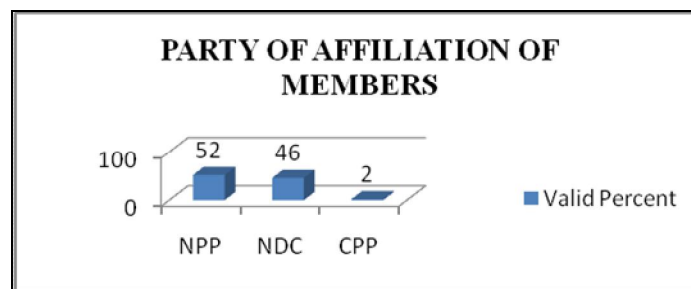


Figure 2: Party of Affiliation of Respondents

1.13. Effect of Political Party Affiliation on the Legislature in Keeping the Executive accountable as Reported by Respondents

To ensure the effectiveness of democracy, certain governmental structures such as the three arms of government- the executive, the legislature and judiciary as well as the constitution must function appropriately. These structures must be independent to ensure that checks and balances are exercised in order to avoid the excesses of government. Following this idea, we solicited information on “how political party affiliation affects the performance of the legislature in keeping the executive accountable”. The rationale was to determine how the various political parties will respond to the objective stated above. The results depict that at different levels of party affiliation, respondents were able to demonstrate varied views on how party affiliation and politicization affect the performance of their accountability function in parliament as indicated in table 4.

Do party affiliation and politicisation affect the performance of parliament in its accountability function?			
PARTY	YES	NO	TOTAL
NPP	20	6	26
NDC	18	5	23
CPP	0	1	1
TOTAL	38	12	50

Table 4: Party Affiliation and How It Affects Parliament’s Performance of Accountability Function
Source: Field survey, 2014

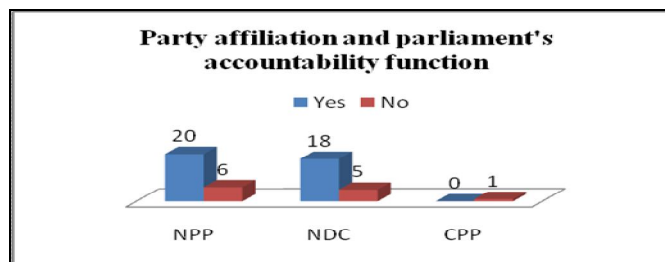


Figure 2: Party Affiliation and Whether It Affects Parliament’s Accountability Function or Not

From Table 4 and Figure 3 above, it can be deduced that majority of the respondents indicated that party affiliation affects parliament in the performance of its accountability function as opposed to few of the respondents who refuted this claim on the

ground that party of affiliation does not affect parliament in the performance of its accountability function. Those who attested to this fact made the following claims during a personal interview:

“Yes where there are clear party issues there you can see the division” (A personal interview with NPP Member of Parliament, 2014).

“Yes, there is a lot of partisanship, thus if it’s my party it’s good for the opposition will only say no, thus Bipartisan consensus is rare” (Personal interview with NDC member of parliament, 2014). This justifies the assertion made by Kitschelt 1989, that Political parties are made up of diverse interest groups, and within such organisations, competition often leads to disagreement over policy goals and how to implement them.

However, those who contended that party affiliation does not affect parliament in the performance of its accountability function reiterated that:

“No because committee level institution of parliament is supreme and the situation on the paper is what they deal with “(Personal interview with NDC member of parliament, 2014)

“No since mostly they deliberate on national issues” (Personal interview with CPP Member of Parliament, 2014).

Numerically, 38 of the respondents indicated that party of affiliation affects parliament in the performance of its accountability function whereas 12 opposed to this view. However, 1 participant did not answer the question at all. Similarly, there were some varied responses from the various parties of affiliation. Out of the 38 respondents who opined that political affiliation affects parliament in the performance of its accountability function, 20 were affiliated to NPP whereas 18 were affiliated to NDC. Again, out of the 12 respondents who indicated that party of affiliation affects parliament in the performance of its accountability function, NPP Members of Parliament constituted 6, NDC Members of Parliament constituted 5 whereas there was only 1 CPP Member of Parliament. A cross examination of the various responses revealed that party of affiliation affects parliament in the performance of its accountability function.

Comparatively, the general public indicated that indeed there are certain factors working against parliament in performing its accountability function. Majority of the general public indicated that certain factors hinder the legislature in performing its accountability function as opposed to a few others who disagreed. Statistically, 71.4% of them indicated there are factors that hinder the legislature in performing its accountability function as opposed to 28.6% of the general public who see nothing wrong with the legislature in performing its accountability function. Those who sided with this claim were quick to attribute it to political affiliation. This view expressed by the general public has something in common with the view expressed by the Members of Parliament who contended that party of affiliation affects parliament in the performance of its accountability function. Based on the analysis, conclusion can be drawn that party affiliation of members of parliament affects parliament in the performance of its accountability function.

1.14. How the Committee System Ensures Transparency in Government

The 1992 constitution of Ghana is the framework under which the parliament holds the executive accountable. In view of this, there are several instruments used by parliament to hold the executive accountable. The committee system is one of the methods used by parliament to ensure transparency in government. Following this idea, when a question was asked on how effective the committee system has been in helping parliament perform its accountability function, respondents demonstrated an in-depth knowledge. In this vein, majority of the respondents opined that the committee system has not been effective. Others also contended that the committee system has been effective whereas as few indicated that the committee system has been very effective. Statistically, 41.7% of the respondents indicated that the committee system has not been effective as against 39.6 % and 18.7 who indicated that it has been effective and very effective respectively as demonstrated in table 5.

Effectiveness of the Committee System	Frequency	Valid Percent
Not Effective	20	41.7
Effective	29	39.6
Very Effective	9	18.7
Total		100
Missing System	3	
Total	51	

Table 5: Effectiveness of the Committee System in Helping Parliament Achieve Political Accountability
Source: Field Survey, 2014

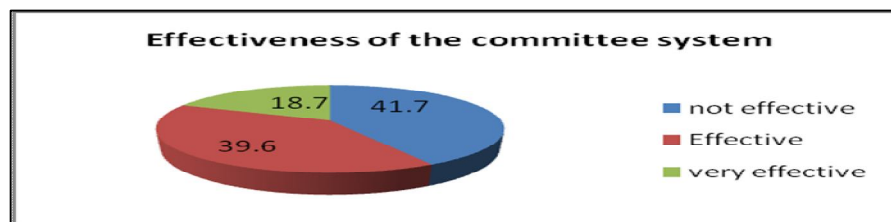


Figure 3: Effectiveness of the Committee System in helping Parliament

A critical review of table 5 reveals that cumulatively 58.3% of the respondents indicated that the committee system is effective and very effective. On this note, one can conclude that the committee system ensures transparency in parliament to some extent.

1.15. How the Budget Approval Power of the Legislature Ensures That There Is Strict and Efficient Use of Public Funds

The thrust of the budget approval power of the legislature is to ensure that there is strict and efficient use of public funds. In view of this, when a question was asked; how does the budget approval in parliament ensure political accountability, majority of the respondents supported vehemently to this claim that the budget approval in parliament ensures political accountability as opposed to few of the respondents who see something wrong with the budget approval in parliament and how it ensures accountability. Statistically, 76.5% of the respondents indicated that the budget approval in parliament ensures political accountability and thus ensures strict and efficient use of public funds whereas 23.5% of the respondents indicated that the budget approval in parliament does not ensure political accountability.

Response	Frequency	Percent
Yes	39	76.5
No	12	23.5
Total	51	100

Table 6: Do You Think the Budget Approval Power of Parliament Ensures Political Accountability
Source: Field Survey, 2014

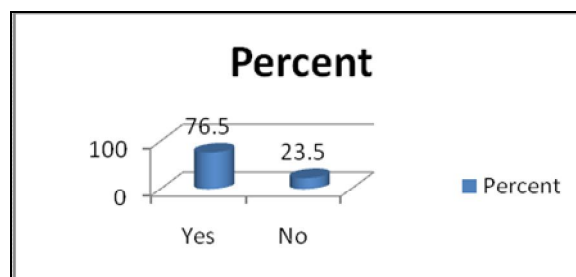


Figure 4: Do You Think The Budget Approval Power Of Parliament Ensures Political Accountability

Concurrently, the general public was asked a question that “parliament by law is supposed to approve all budgets by the executive, does this help ensure political accountability?” Majority of the respondents opined that the approval of budgets by parliament helps to ensure accountability whereas few contended that this does not help to ensure accountability. In all, 75% of the respondents supported this claim whilst 25% refuted this claim on the ground that budget approval does not help to achieve political accountability.

A critical comparison of the statement made by the general public validates the statement by the Member of Parliament that the budget approval power by the legislature helps to ensure political accountability. On this note, one would not be wrong to say that the budget approval by the legislature helps to achieve political accountability.

1.16. Power of the Legislature to Summon Ministers to Answer Questions in Parliament

The legislature per the 1992 constitution has the power to summon the ministers to answer questions in parliament. The essence of this is to put pressure on the executive to avoid the abuse of office. Following this idea, a question was asked pertaining to how effective the ‘question time’ in parliament is, in ensuring political accountability. The rationale of this was to ascertain how this can put pressure on the executive to avoid abuse of office. When a question was asked; ‘how effective is the question time in parliament’, majority of the respondents indicated that it is effective as opposed to few of the respondents who indicated that they are not effective. Numerically, 82% of the respondents indicated that it is effective whereas 18% debunked this claim on the ground that it is not effective as indicated in table 7.

Response		Frequency	Valid Percent
Valid	Yes	41	82.0
	No	9	18.0
	Total	50	100.0
Missing	System	1	
Total		51	

Table 7: Is the Question Time in Parliament Effective
Source: Field survey, 2014

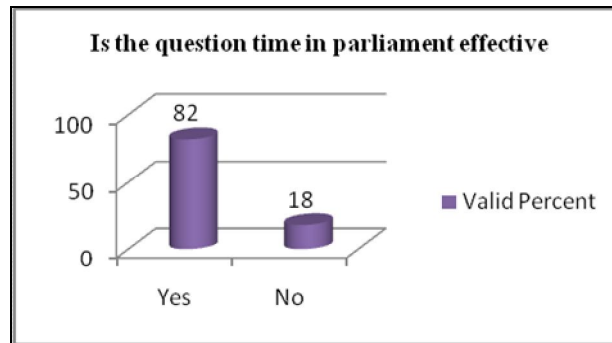


Figure 5: Is the question time in parliament effective

This means that since majority of the respondents indicated that the question time in parliament is effective, they have justified the assertion that the power of the legislature to summon ministers to answer questions put pressure on the executive to avoid abuse of office.

1.17. The Hybrid System (Parliamentary and Presidential System of Government) and the Legislature’s accountability Function

Article 78(1) which states that “ministers of state shall be appointed by the president with the prior approval of parliament from among Members of Parliament or persons qualified to be elected as Members of Parliament, except that the majority of ministers of state shall be appointed from among Members of Parliament”. Prior to this statement, we wanted to know how the hybrid system of government affects the legislature in the performance of its accountability function. Subsequently, we solicited information on how this article affects the accountability function of Parliament. Majority of the respondents indicated that the article affects the accountability whereas a few indicated that the article does not affect the accountability and others also indicated that to some extent it affects accountability. To partition these responses into percentage, 70.6% of the respondents indicated that, yes, the article affects the accountability whereas 11.8% of the respondents opined that, no, the article does not affect accountability and 17.6% of them indicated that it affects accountability to an extent as shown in table 8. Therefore cumulatively 88.2% agree to the assertion that article 78(1) of the 1992 Constitution affects the achievement of accountability in the political system.

Response	Frequency	Percent
Yes	36	70.6
No	6	11.8
To An Extent	9	17.6
Total	51	100.0

Table 8: Does Article 78 (1) Affect the Accountability Function of Parliament?

Source: Field survey, 2014

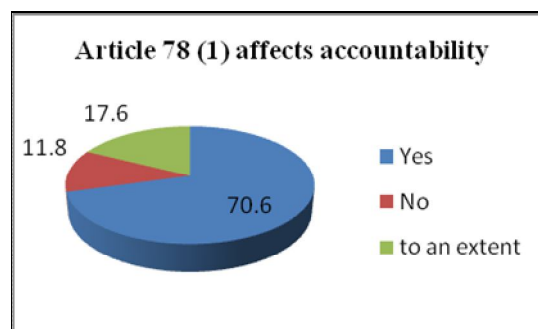


Figure 6: Does article 78 (1) affect the accountability function of parliament?

In light of this, those who indicated that the article affects the legislature in the performance of its accountability function established that the hybrid system is very confusing and does not ensure parliamentary independence. In view of this, respondents recommended that for the legislature to effectively perform its function of accountability there should be total separation of powers where MP could not be ministers. A further interpretation would mean that hybrid system has adversely affected the legislature in performing its function of accountability.

1.18. Is It Necessary For The Legislature To Hold The Executive Accountable?

One common way of holding the executive accountable is through the polls. This system is called vertical accountability. However the constitution allows for structural or horizontal accountability. Respondents were asked whether in their opinion, it is

necessary for the legislature to hold the executive accountable. According to the data, 91.8% believe that the oversight function of the legislature is necessary whilst 8.2% believe that it is unnecessary. This clearly shows that majority of the respondents believe that it is necessary for the legislature to hold the executive accountable. And this is clearly depicted in table 9

Response		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	45	90.0	91.8	91.8
	No	4	8.0	8.2	100.0
Total		49	98.0	100.0	
Missing System		1	2.0		
Total		50	100.2		

Table 9: Do You Think This Oversight Function Is Necessary
Source: Field Survey

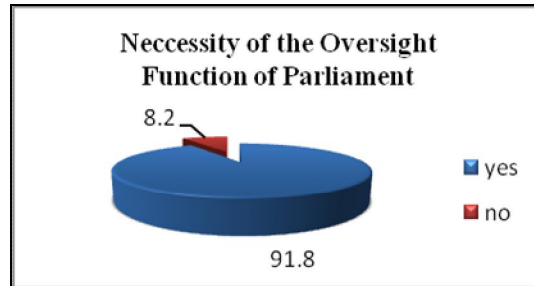


Figure 7: Do you think this oversight function is necessary?

1.19. Public Perception of the Tools Used by the Legislature in Holding the Executive Accountable on Behalf of the People

After measuring the effectiveness of the tools used by the legislature to hold the executive accountable, data for the general public as to whether in their view the legislature has been effective in holding the executive accountable has proved that the legislature has not been very effective in holding the executive accountable. Statistically, 34.7% of the general public indicated that the legislature has been very effective in holding the executive accountable whereas 65.3% of them indicated that the legislature has not been effective in holding the executive accountable. Those who indicated that the legislature has not been effective in holding the executive accountable were quick to attribute it to the following reasons during personal interviews.

“The legislature in Ghana is sharply divided on a political line which makes it easier for the executive to influence decisions made by parliament” (Personal interview, 2014) “Most of the members of the executive have been or still are members of the legislature and are often the majority. Every decision there has to go in favour of the executive”. (Personal interview, 2014)

“Members belonging to the same party as the executive may be reluctant to hold their leader accountable”. (Personal interview, 2014)

Hence, one can conclude based on the analysis of data that the legislature has not been effective in holding the executive accountable.

Response		Frequency	Percent	Valid	Cumulative Percent
Valid	Yes	17	34.0	34.7	34.7
	No	32	64.0	65.3	100.0
Total		49	98.0	100.0	
Missing System		1	2.0		
Total		50	100.0		

Table 10: Do You Think the Legislature Has Been Very Effective In Holding the Executive Accountable?



Figure 8: Do you think the legislature has been very effective in holding the executive accountable?

1.20. Discussion

The study sets out to analyse how the limited powers granted to Parliament by the 1992 Constitution of Ghana affects parliament's ability to hold the executive politically accountable. In order to do this, there was the need for the critical analysis of the tools used by the legislature to hold the executive accountable. The selected tools are; the committee system, question time and budget approval. To measure the effectiveness of these tools, questionnaires were administered to members of parliament to find out whether in their view, these tools have helped achieve political accountability. Also, questionnaires were administered to the general public to assess their perception of the effectiveness of these tools. The view of the respondent was that the three identified tools used by the legislature in holding the executive accountable is effective. That notwithstanding, the respondents were also of the view that article 78(1) of the 1992 constitution has been the major obstacle for the legislature to perform its accountability function. This article coupled with the politicisation of issues has made the legislature ineffective in holding the executive accountable. Therefore the tools in and out of themselves are effective but the impact of politicisation and net effect of article 78 (1) renders the tools ineffective. This point is supported by the measure of the public perception of the effectiveness of the legislature in holding the executive accountable. Therefore in answer to our main research question, we can confidently say that the limited power granted to parliament by the 1992 constitution of Ghana negatively affects parliament's ability to hold the executive politically accountable on behalf of the people.

Ghana has been practicing democracy since independence. In the eyes of the international community, Ghana is the star of Africa in terms of multiparty democracy. Yet the accountability system in Ghana does not seem so strong and this has led to arrogance and disrespect of the Ghanaian populace by elected and appointed leaders alike. Ordinarily, periodic elections every four years are supposed to check this kind of attitude. Unfortunately due to issues like patronage politics and poverty it has become very difficult for the electorates to hold the executive accountable. The good here is that the 1992 constitution which is based on the principle of separation of powers and checks and balances gives power to the legislature (Parliament) to hold the executive accountable on behalf of the citizens. It appears the legislature has failed in this regard because the powers granted it is limited and inefficient to help them perform this very important function.

1.21. Conclusion

The paper examines in general way the whole issue of political accountability and why there is the need for the legislature to ensure that it is achieved. It brought into focus the tools used in achieving accountability and delved into the problems the legislature has in using the tools. In addition it reviews the relevant literature on the topic and also discusses the various definitions of accountability and contextualizes it in the Ghanaian democratic settings. Horizontal accountability as carefully discussed in this study is an important feature of any democratic system. The lack of it does not only lead to abuse of power and corruption but also political apathy or disengagement from the political system. For horizontal accountability to effectively function there must be strict separation of powers with each organ of government functioning independently of the other.

This study has brought to light that the inefficiency of parliament in holding the executive accountable is mainly because the power granted parliament is very limited. And the limited powers are still constrained by other functions such as issues of finances and availability of information. A clear example can be made of the committee system where the budget allocation of oversight committees like committee on defense and interior is tied to their respective ministries. These committees oversee the activities of the various ministries. Therefore, if a ministry decides to escape the scrutiny of its oversight committee in parliament, it could easily come up with an excuse of non-availability of fund.

The nature of politicisation and party politics are also a major reason for the inefficiency of parliament to hold the executive accountable. It is as if parliamentarians are in the chamber to represent party interest and not their constituencies. These factors are what have made the legislature or parliament for that matter the weakest of the three organs of government. And if something is not done about this situation, parliament will lose its essence in the democratic culture of Ghana. This study fills the gap in literature on the accountability function of the legislature of the Republic of Ghana and how this function has effectively been carried out. Moreover, it helps the Ghanaian parliament to assess their role in serving as a check on the executive to be transparent and responsive to the citizens of Ghana.

The findings of the study will assist political scientists to be able to project into the future. It will bring to light some of the shortcomings of the power given to the legislature by the laws of the state and thus help in the drawing up of a new constitution when it becomes necessary. Moreover, political scientists can use this research as a yardstick to suggest useful government policies concerning political accountability and other related topics. This paper argues that a number of interventions need to be employed if the legislature can be made stronger in order to effectively check the executive under the Fourth Republican Constitution. To deal with this situation, there is a need to decouple the legislature from the executive which means that Article 78 (1) must be amended. The effect of this is that, parliamentarians will lose the opportunity to be appointed ministers. This will make them stop playing fiddle to the executive in order to get a ministerial appointment. Even though a financial tribunal has not been established to prosecute officials who are indicted by the Public Accounts Committee (PAC), cases of financial malfeasance must be handed over to the Attorney General's Department for onward prosecution. This will make financial crimes expensive for public officials. Lastly, a fund should be set up to finance the campaigns of aspirant Members of Parliament. This will break the kind of hold the political parties have on the members of parliament.

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