Parliaments, Accountability and Pro-Poor Policies

The African Poverty Reduction Network (APRN), established in November 2003, has been supporting Parliaments and Parliamentarians across the continent in their quest to ensure transparency and accountability. At the core of this support is our desire to provide parliamentarians with the necessary tools and skills to positively influence pro-poor policies across the African continent. After more than three years of raising the stakes and pushing the agenda on accountability and pro-poor policies, the question to ask is “are parliaments becoming pro-poor”?

To find answers to this question, the Parliamentary Centre’s poverty team, with support from the World Bank Institute (WBI) recently conducted a study in six APRN member-countries – Ghana, Kenya, Malawi, Niger, Senegal and Tanzania. The study asked two important questions: (1) How effective has parliamentary involvement in the Poverty Reduction Strategy process been?; and (2) What impact have the interventions had on PRS implementation and policy, with specific focus on the budget process?

A careful analysis of the six cases revealed some positive emerging trends. Across the board, there is a significant improvement in parliamentary involvement in pro-poor policies. Parliaments are beginning to assert themselves and demand their rightful place within the realm of policy that affects the poor. Another area of improvement is the linkages between parliament and civil society. In a number of countries, parliaments and civil society groups have moved beyond the ‘mutual suspicion’ that has characterized their relations in the past. They are beginning to create a common platform ‘in the interest of the poor’. Related to these is the new emphasis on growth which should go hand in hand with poverty reduction efforts.

But there are also some disturbing trends. We noticed that even though parliaments continue to be relevant in pro-poor policies, they are ineffectual in poverty and budget policies: Budgets still not properly followed by the executive and there is poor monitoring to ensure effective implementation.

The lesson from above is that we need to sharpen the focus of our work – all activities should be geared towards improving the budget skills of members of parliament. And this is exactly what we are beginning to do in our newly created Learning Centre in the Parliamentary Centre’s regional office in Accra, Ghana.

Dr. Rasheed Draman is Director of Africa Programs for the Parliamentary Centre.
Parliamentary institutions have changed profoundly in recent years. Parliamentary activity has always consisted in making the laws of the land and controlling government action. The evolution of institutions in countries with a democratic tradition, as well as those in countries aspiring to greater democracy, has engendered new missions within parliaments, thus encouraging parliamentarians to engage in new activities.

As a result of globalization, African parliaments are becoming increasingly open to the “outside world” – the public and civil society – and are participating more actively in efforts to strengthen democracy and implement effective public policy. Control, formerly a secondary activity, has therefore become a priority; as a result, a number of parliaments around the world are organizing and instituting bold reforms to carry out their roles more effectively.

African parliaments are doing their part, engaging in activities that enable them to fulfill their responsibilities and missions. The attainment of Millennium Development Goals also requires ongoing and committed action by parliamentarians, and this explains the importance of the themes dealt with in this paper – the actions of parliamentarians on two fronts: fighting poverty, and promoting transparency and thereby good governance. Effectively fighting poverty and promoting transparency and good governance remain two essential dimensions of a parliamentarian’s work. How can parliamentarians successfully fulfil their missions in those two areas?

**Fighting Poverty: A Priority for Parliamentarians**

Generally, parliament intervenes in poverty reduction programs only when it approves poverty reduction strategy papers. This step, a parliamentary requirement, is rooted in compliance with a given country’s division of powers, rather than prompted by a genuine desire to involve parliamentarians in formulating strategic choices. It has become important for parliamentary institutions to participate fully and effectively in formulating poverty reduction policy. Yet if parliamentarians’ actions are to be effective, the limitations of parlaments must be identified and measures taken to ensure that parliamentarians’ actions do indeed have the greatest possible impact.

**Limitations of Parliaments**

African parliaments are encountering serious institutional difficulties in fulfilling their roles. Limitations within parliamentary assemblies frequently impede parliamentary operations and reduce parliamentarians’ effectiveness. These include partisan loyalties, the weakness of parties represented in the national assembly, the absence of adequate means within parliamentary administrations, and the lack of genuine and reliable sources of information and documentation. Problems are often compounded by the absence of expert knowledge on technical and other matters, and the need to turn to assistants for help.

External determinants also prevent national assemblies from monitoring and participating in the formulation of poverty reduction policy and planning. Governments tend to relegate parliaments to the role of recording chamber for the decisions made by the executive branch. On that basis, PRSPs are introduced in parliaments solely for adoption, making it difficult for parliamentarians to monitor and assess them, particularly since the parliamentarians are not fully familiar with implementation factors.

**Proposals to Enhance the Effectiveness of Parliamentarians’ Action**

If parliamentarians are to participate in the fight against poverty, they must understand the need to modernize the institution of parliament. First, the separation of powers must be restored to its original principle, with parliament treated as a genuine, discrete power distinct from other powers, particularly the executive branch, and endowed with its own responsibilities, areas of jurisdiction and means.

Moreover, democracies must move beyond the theoretical principle to a practical model based on equilibrium and independent powers. This requires fundamental recognition of a parliament’s significance in the institutional structure of the state, as well as the importance of its representative, legislative and oversight functions. It requires acceptance of and respect for the view that parliaments are instruments of democracy, that parliamentarians must be the representatives of the people, and that the people are sovereign.

Parliamentarians must then be given tools to enable genuine participation. A more dynamic approach to poverty reduction must reflect a broad consensus, so that country-based activities and complementary activities by development partners are more effective in achieving sustained poverty reduction. Parliaments must be involved at every step of the process, from beginning to end. They must:

- Be involved in identifying PRSP objectives;
- Be familiar with and have access to all PRSP information;
- Participate in collecting information from disadvantaged and vulnerable groups;
- Institute free and constructive debate, calling on outside (Continued on page 3)
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It must be noted that entrenched poverty and lack of economic opportunities and natural resources can themselves be impediments to growth. Poverty reduction also requires effective mechanisms for participation of the poor in the economy. Good governance is necessary to assure sound management of public resources and achieve greater transparency, including active public scrutiny and government accountability in fiscal management. Parliaments can participate in this only by working closely with the people and with organizations of civil society. In fact, the active involvement of civil society in monitoring relevant aspects of PRSPs is of great importance. Broad-based participation by civil society, all other stakeholders in the country and elected representatives should contribute to improving PRSP design and provide support for implementation.

Promoting Transparent and Accountable Practices: An Ongoing Challenge for Parliamentarians

Good governance is defined as the process whereby the government in power manages a country’s economic and social resources to promote development. It is generally characterized by a set of principles that include due regard for the rule of law, sound management of public affairs, freedom from corruption, respect for human rights and the promotion of democracy, and participative development.

Strengthened application of good governance is a priority in fostering the effective and efficient allocation of resources in a developing country. Lack of transparency and efficiency in the management of public affairs, a cumbersome bureaucracy and regulatory structure, and poor functioning of the legal system weaken the state and sap its credibility, impeding it in carrying out its essential functions. The rationalization of monetary policy and budgets, increased efficiency and transparency in customs activities, improvements in trade-related services and a stronger legal system are all priorities that contribute to achieving an economic and social environment conducive to growth and poverty reduction.

Governance encompasses the traditions, institutions and processes that define how power is exercised, how citizens are given a voice and how public service management decisions are made. Thus, good governance is consensus-based, enabling the people to participate directly in the process. In Africa, it is imperative that suitable good governance mechanisms be established to foster a genuine economic and social development policy and avoid the instability, insecurity and injustice which have frequently overshadowed the continent.

The Role of Parliamentarians

To strengthen the powers of parliaments in the area of transparent and accountable practices, countries should
• Recognize and strengthen the rights of the parliamentary opposition;
• Reinforce the separation of powers to make the control mechanisms and the opposition work more effectively;
• Strengthen parliamentary control by fighting such obstacles as lack of material, financial and human resources and weak participation by civil society and the media;
• Enhance the legal status of commissions of inquiry and control through publication of their proceedings;
• Strengthen amendment rights and control mechanisms;
• Increase the budgets of parliamentary administrations;
• Create parliamentary good governance networks and ensure that the networks of different countries connect;
• Work with civil society, the media and development partners in establishing public policy control, monitoring and assessment mechanisms;
• Request that the executive branch provide parliamentarians with all the information they require to fulfil their missions.
• Involve parliaments in concluding international agreements, treaties, conventions and protocols signed by their governments.

The promotion of transparent and accountable practices is a key requirement in the 21st century. Though undoubtedly the responsibility of governments, it is also the responsibility of representative bodies like parliaments.

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NOW OPEN
With support from the Austrian Development Agency (ADA), the Parliamentary Centre has established a Learning Centre (LC) at its Ghana Office, the Africa Poverty Reduction Office (APRO). Here, parliamentarians, parliamentary staff, academics and researchers can find technical expertise in terms of developing and delivering training programs, developing training modules and other training materials, as well as conducting research on poverty and governance in Africa. The focus of the Learning Centre is on the parliamentary budget process. Over the next five years the LC will equip Network MPs with the skills and tools they need to effectively ensure that budgets are pro-poor and that there is an effective utilization of public resources for the attainment of poverty reduction and the Millennium Development Goals. The LC is equipped with computers, internet access, and seating for 18, as well as a documentation centre. The first five-day training on Financial Oversight will take place from December 11-15, 2006 and will equip MPs from Malawi, Tanzania, and Uganda with Tools and Mechanisms for Optimum Budget Analysis. Feel free to contact APRO and the Learning Centre directly, or drop by when you are in Accra!

Parliamentary Representation and Oversight Functions in Ghana's New Socio-Political Matrix

One of the potential factors that could limit the power of the executive and contribute to the success of every democracy is the development of an effective legislative body. Ghana's system of government is based on the United States' presidential system, but legislative power is vested in a unicameral parliament with 230 Members of Parliament (MPs) who are elected every four years and are subject to re-election without term limits. The main functions of the parliament include MPs' representation of their constituents and the promotion of development projects in their communities and parliament's role in enacting laws and performing oversight functions. The first part of this article examines the representation and oversight functions of parliament in Ghana's new democratic dispensation. The second part focuses on the challenges facing Ghanaian MPs and the last part concludes with an overview of the issues raised in the article.

**MPs' Representation Roles**
Since Ghana's 1992 democratic transition, there has been increasing public demands on parliament and MPs for fair and equitable representation. MPs play important functions as representatives of the people and the political parties in parliament. While many of the losing parties are often inactive after elections, parliament enables both the ruling and opposition parties to represent their constituencies and participate in governance in the years between elections. For example, the participation of opposition parties in the 1996, 2000 and 2004 parliaments under Ghana's Fourth Republic has led to a considerable improvement in parliamentary debates as compared to the 1992 parliament where the opposition parties were not represented. MPs seek solutions to problems facing their constituents by promoting policies and bills in parliament without re-election. The participation of opposition parties in the 1996, 2000 and 2004 parliaments under Ghana's Fourth Republic has led to a considerable improvement in parliamentary debates as compared to the 1992 parliament where the opposition parties were not represented. MPs seek solutions to problems facing their constituents by promoting policies and bills in parliament. For example, the participation of opposition parties in the 1996, 2000 and 2004 parliaments under Ghana's Fourth Republic has led to a considerable improvement in parliamentary debates as compared to the 1992 parliament where the opposition parties were not represented. MPs seek solutions to problems facing their constituents by promoting policies and bills in parliament. One novel institutional process that has further strengthened parliamentary representation and government accountability in general in recent times is the introduction of the Public Forum Concept by the ruling NPP government to enhance representation and bring parliament to the doorsteps of the people. Public Forums, which are attended by District Chief Executives, MPs, Ministers and the President, are held in all the district and regional capitals across the country, as well as the national capital. This system of communicating with the public enables MPs to interact frequently with the public and the press. Aware of the importance of the directive principles of governance, the MPs attend such Town Hall meetings to...

(Continued on page 5)
answer questions relating to public policy, development programs, and inform people about the government’s development policies. A number of local organizations have also established mediums through which MPs communicate with the public. The Institute of Economic Affairs (IEA) for example, instituted the Speaker’s Breakfast Forum, where MPs interact and share information about issues debated in parliament with the public. The Ghana Broadcasting Corporation has also contributed to public discussion by broadcasting a program known as “Today in Parliament”, which promotes public discussion on issues that are debated in parliament.

**MPs’ Oversight Functions**
Another primary function of parliament is its oversight function over the executive body. The public relies on parliament to ensure government accountability in the performance of the executive’s functions. While public accountability through elections occurs every four years, parliament in the performance of its oversight functions frequently checks the executive to enhance the latter’s performance. The power of parliament was thus strengthened in the Constitution to provide greater powers to the constituencies in the legislative process and improve levels of executive accountability at all levels of government. The Constitution confers on parliament the power to undertake a variety of responsibilities and functions within the context of legislative, deliberative, investigative and regulatory functions. Since the 1992 transition, Ghana’s parliament has benefited from programs, which are aimed at political empowerment, capacity building for parliamentarians and socio-economic development. These programs are supported by a number of international organizations, such as the Canadian International Development Agency (CIDA), the United States Agency for International Development (USAID), and the Canadian Parliamentary Centre (CPC). The importance of parliament is therefore seen in the exertion of public control through the right to scrutinize the executive and the right to gain access to specialized information to enhance public policy. Opposition parties’ contribution to discussing issues in parliament and their alternative views on public policies form part of the process towards achieving government accountability and responsiveness. For example, the input of the minority MPs in the 1996, 2000 and 2004 parliaments, especially in financial, constitutional and legal issues have greatly helped to refine most of the bills presented before parliament by the executive.

Opposition parties in parliament have also used the courts to seek interpretation of government acts that are in contravention of the constitutional provisions. For example, in the NDC era, the minority in parliament asked the Supreme Court to give proper interpretation of some constitutional provisions, such as obtaining police permit for holding demonstrations and to require the public media to accord the political parties equal coverage. The impact of these and other important rulings by the Supreme Court in favour of the opposition parties at the time showed that parliament still has the capacity to oppose, influence and/or check the conduct of the executive. Another key concept in the enforcement of government accountability through which parliament performs its oversight functions is ministerial responsibility. Parliament’s investigative function is shown in the work of the Appointments Committee, which investigates candidates nominated by the President for executive and judicial appointments (1).

**Problems Associated with Ghana’s Parliament and the Role of MPs**

**Overwhelming Demands from the Public**
One of the primary challenges facing MPs in carrying out their representation functions in Ghana is the incessant financial and material demand from their constituents. Constituents expect their MPs to seek funding from the central government and other external sources to promote development projects in their communities. Besides, the role of MPs in Ghana goes beyond just representing the constituents, because people expect them to meet their individual personal financial and material needs, including payment of their children’s school fees and hospital bills (2). While this practice may have led to significant improvements in MPs’ service delivery functions to their communities under the Fourth Republic, it has also led to some MPs failure to frequently connect with their constituents and increased corruption and illegal deals by some parliamentarians. MPs that fail to stay in touch with the people regularly or are unable to obtain funding for development are regarded by their constituents as ineffective and may not be re-elected. For example, a number of NPP and NDC MPs lost their seats in the 2004 party primaries partly due to lack of contact with the constituents to address their problems. Due to these high expectations that many constituents have of their MPs, coupled with the pervasive poverty that affects most communities, especially in the rural areas, the work of the MPs become even more complex and challenging.

**Weaknesses in Parliament’s Oversight Functions**
At the time of the transition to democratic rule, Ghana’s parliament was very weak, compared to the executive that wielded considerable power. The dissolution of parliament after the 1966, 1972, 1979 and 1981 coups disrupted the systematic and sustained development of Ghana’s parliamentary institution. While there have been a number of programs by both local and foreign organizations to help Ghana’s parliament rebuild its institutional capacity, it continues to show some weaknesses in its oversight functions and other related roles. There are wide-ranging constitutional provisions regarding (Continued on page 6)
parliament’s legislative and oversight functions however, the conventions and procedures for holding the executive accountable are not sufficiently developed. For example, a report released by Africa leaders on Ghana’s performance in the country’s democratic development as part of the African Peer Review Mechanism (APRM) applauded the country’s success in consolidating democracy, but it also criticized the lack of separation of powers between the legislature and the executive bodies (3). Besides these, Ghana’s parliament has failed to amend the constitutional provision that allows for the appointment of majority of ministers from parliament and place limitations on the number of ministries and ministerial appointments the president could make. However, since MPs are likely to benefit personally through ministerial appointments, MPs in the 1992, 1996, 2000 and 2004 parliaments under the NDC and NPP governments have been silent over this important issue. Another weakness worth mentioning in Ghana’s parliamentary procedures is the process in which the executive’s ministerial appointments are voted on in parliament through open rather than secret balloting. To win the president’s favour, many MPs especially in the ruling party who may have voted against a nomination, tend to vote in support of the president’s nominated candidates, leading to the wrong choices in some cases.

Under-representation due to Uneven Distribution of Parliamentary Seats
The uneven distribution of parliamentary seats is one of the structural problems facing Ghana’s electoral system. In the process of re-demarcating the constituencies, the Electoral Commission failed to ensure that the populations of some bigger constituencies are made relatively equivalent to the size of the other electoral districts. The disproportionate size of these parliamentary constituencies leads to the problem of significant under-representation especially in the areas dominated by large urban populations, such as in Ashanti and Greater Accra regions. For example, apart from one constituency, all the 20 largest constituencies in Ghana are in the Greater Accra and Ashanti regions, mainly in the Accra and Kumasi metropolis respectively. While an average constituency has 53,495 registered voters, the 20 largest constituencies have over 90,000 voters, while the smallest 20 constituencies have less than 27,500 registered voters. The average number of registered voters in all 22 constituencies in the Greater Accra region is roughly 83,904 voters, which is considerably higher than the national average of 53,495 voters. These disparities sometimes lead to unfair election outcomes. For instance, Dr. Nii Armah Josiah Aryeh, who stood for the NDC in the Ablekumah South Constituency in Accra in the 2004 election but lost to the NPP’s MP, Theresa Ameley Tagoe, won more votes than a candidate who won in a constituency with a sparse population of about 20,000 (4). The discrepancy in voter distribution could be a potential source of electoral disputes in some of the affected constituencies.

Other Significant Unresolved Issues
Another critical problem facing Ghana’s parliament is the lack of financial and logistical support and other administrative facilities from the central government to facilitate parliament’s representation and investigative functions. Despite the fact that parliament’s role is considered crucial for the development of an open, accountable and responsive democratic system, as in many third wave democracies in the developing world, support services for MPs, such as research personnel, library facilities, books, availability of data, office spaces, and paid constituency staff, are either provided by the state on a minimal basis or virtually non-existent. Additionally, Ghanaian MPs rely on information and statistics provided by the government to debate policies proposed by the executive. This has weakened the capacity of MPs to make an independent analysis and objective judgment on various critical issues and policies. The Office Holders Assets Declaration Law that prevents MPs from acquiring wealth illegally is also flawed, because immediate family members of public officials are not included in the law and the MPs often used these family members as front persons when making any deals. This leeway in the law gives public officials an opening for hiding corrupt gains. Another problem associated with Ghana’s parliament is the lack of concern on the part of MPs to amend the constitutional provision that gives undue incentives to them at the expense of the public’s interests. Notwithstanding the high rate of poverty in the country, parliamentarians’ self interest often take precedence over the widespread poverty and hardships facing majority of the people in the country. Despite Ghana’s indebtedness that has led to the NPP government’s decision to opt for the Highly Poor Country (HIPC) initiative, MPs are granted US$20,000 as government guaranteed loans to purchase cars to facilitate their work in every election year. In 2005, this figure was
increased to US$25,000. The MPs are not required to repay this money to the state at the end of their service, because they justify it to be compensation for their low salaries. The irony and controversy over this issue is that MPs who have been in parliament for three or four consecutive terms benefit from this loan scheme every four years. As a result, they have been silent about its viability and sustainability.

Conclusion
There is no doubt that the re-introduction of constitutional rule and the establishment of Ghana’s parliament as well as an independent judiciary has led to some level of executive accountability and responsiveness in Ghana. Nonetheless, there are some aspects of the state institutions that pose serious challenges to the consolidation of Ghana’s democracy. The lack of clear separation of powers between the executive and parliament is one of the main institutional weaknesses facing Ghana’s parliaments. It is for this reason that the concept of checks and balances and separation of powers are important characteristics of a viable and sustainable democracy, because they aid parliament’s oversight functions. When effective measures are instituted in procedures for strengthening the legal and institutional frameworks, they promote a greater level of transparency in governmental processes and deepen democracy in general. Strengthening parliamentary institutions and providing seminars and training programs for MPs could strengthen parliament and MPs’ representation roles. The government should also promote a nationwide civic education program to educate the public about the role of MPs in order to reduce the excessive personal demands from parliamentarians. The EC should further demarcate the constituencies with large populations to achieve a balance in parliamentary representation and fair election outcomes across the country. Since parliament is one of the major institutions for promoting efficiency in government, the EC, the government, the local and foreign organizations should do more to address the issues raised in this article to help facilitate the work of parliament and MPs in Ghana to help strengthen state institutions, enhance government accountability and above all, deepen the country’s democratic system.

Notes
(1) This was evident in the 2001 and 2005 ministerial vetting processes.
(2) Some MPs claimed that the incessant personal financial and material demands from their constituents deter them from visiting their constituencies regularly.
(3) The African Peer Review Mechanism is a process through which the performance of governments in Africa are reviewed by African Union member states in terms of the promotion of democratic principles and the separation of powers and checks and balances among the branches of government in the country.

References
In the next few months, be sure to check out APRN`s new website at www.aprnetwork.org

Links and Resources

Poverty Alleviation :
Case Study : Nigeria
http://www.eurojournals.com/IRJFE%203%207%20asaolu.pdf#search=%22corruption%20and%20poverty%20alleviation%22

Case Study: Tanzania
http://www.repoa.or.tz/documents_storage/Research%20and%20Analysis/PSSS%20revised%20summary%202.pdf#search=%22corruption%20and%20poverty%20alleviation%22

Resources:
Strengthening Parliamentary Involvement in the Poverty Reduction Strategy Process and the Millennium Development Goals (MDGs)

Media and Corruption: Evidence from Madagascar
http://www.csae.ox.ac.uk/conferences/2006-EOL-RPI/papers/csaefranck.pdf#search=%22media%20and%20corruption%22

Fiscal Policy, Accountability and Voice: The Example of Gender Responsive Budget Initiatives, by Isabella Bakker, UNDP, New York

In Zambia, the community monitoring pilot project found that the government’s food security program had improved food security but needed to be made more flexible in order to cater to the specific needs of individual beneficiaries and taking into account natural and socio-economic factors.

Parliamentary staffer Ms. Monica Sampa (centre) participates in a group discussion in Mungu on Food Security Packs.