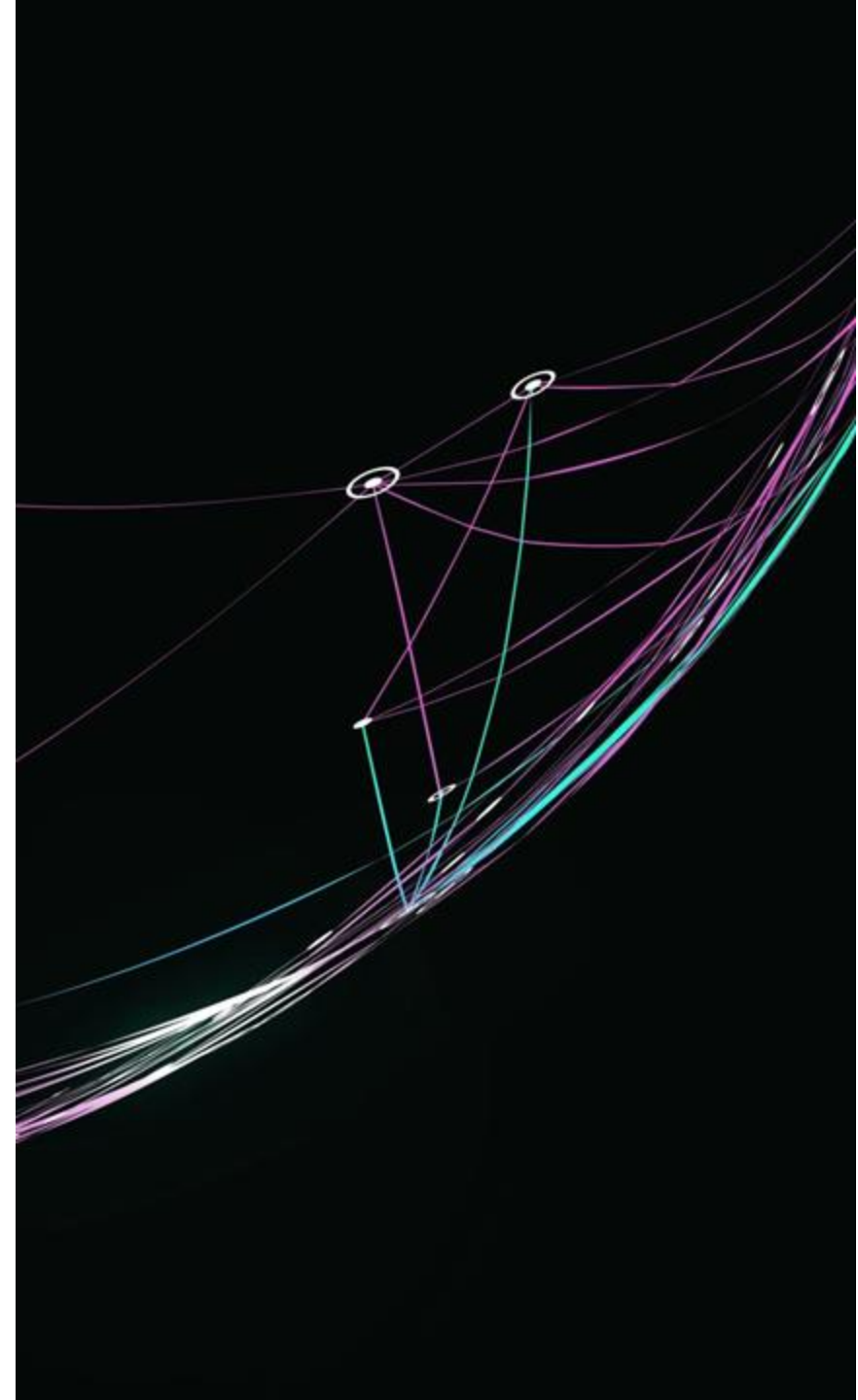


Good Governance and the Challenge of Strong Institutions in Africa and Climate Change

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- Governance in Africa has been a constant struggle to have in place good democratic governance for which the government is accountable to the people who vote the government into power. In governance all power is deemed to belong to the people and governing the people and the exercise of power is done through a set of institutions for and on behalf of the people.
- In traditional African governance the institution of governance is the traditional chief who governed with the assistance of a council of elders.

- Even though the traditional governance system was not elected it recognized the need for a structure through which the affairs of state (oman) would be administered. The structure had the chief as head of a governance structure with a council of elders to advice the chief on among others adjudicate disputes of the governed. It was a recognition that the chief alone cannot deliberate all such disputes alone and needed a crop of advisors known as the council

- of elders. Even though there was no election the system head hunted elders of the traditional clans for elders with wisdom to advise the chief. This was traditional governance model based on the consensus model in ensuring that the chief did not govern alone and thus there was no one man rule even though oral tradition talks of wicked and dictatorial chiefs through history eg the Ewes talk of the wicked king Agokoli.

- In traditional governance institution like chieftaincy the check for bad governance is destoolment which is used to get rid of a chief with poor governance skills set. We will assume that in the traditional governance system we cannot meaningfully talk of strong institutions in a modern governance set up.

Modern African Governance and Strong Institutions

- In his speech to the Ghana parliament in July 2009 President Obama drew attention to the nexus between good government and strong institutions. His position was that Africa didn't need strong leaders (as the continent has been awash with strong military as well as civilian leaders) but strong institutions. The continent is noted for poor leadership i.e. poor governance which engenders corruption and decaying governance ultimately leading to conflict in

the country.

- **Architecture of Strong Institutions**
- Governance is made up principally of three arms, namely
- The Executive
- The Legislature
- The Judiciary

- The press is held as the fourth estate of the realm or arm of democratic governance. The three arms of governance have to work together for good governance. Basically the Executive (Government) is entrusted with the task of running the government. The Executive does this by following the President's directives. The President heads a cabinet of ministers he appoints to assist him/her run the affairs of government. To run the affairs of government, the President makes policy which directs the way his ministers runs the

- Affairs of state. When the executive makes policy, it is taken to the legislature for scrutiny and approval. The approval processes would normally involve the legislature referring the policy to a committee of parliament to do focused scrutiny and make recommendations to the whole house for approval or otherwise. Parliament is made up of various political party representatives and approval or rejection of executive policy might be based on the policy's merit or on party considerations.

Parliament as Strong Institution

- Parliament's principal duty is to hold the executive to account for the way the country is run. As an institution parliament is supposed to be independent of government but at the same time complementary to the smooth functioning of government. The two need each other in a system of checks and balances. What makes a strong institution is the ability of parliament to stand up to the government, by being able to tell the government if it is

wrong on a policy choice and implementation. Parliament is seen as a weak institution if it cannot stand up to the government in its oversight duties largely due to the ability of the government to influence parliament's efforts by the power of the purse i.e. using financial inducements to get members to approve executive policy.

Most African parliaments are unable to stand up to the executive due to a lack of financial autonomy. Parliaments look up to the

- Executive for its financial allocation which is a function of how much the executive intends to spend in its budget allocations. This is one area in democratic governance that opens itself to corruption as often MPs in various committees of parliament are alleged to have been compromised by the executive to approve government policy. The Ghanaian parliament has often been accused of having been compromised to approve policies by members of

- Committees asking those appearing before it seeking approval of budget allocations. The issue of financial autonomy for parliament will be one of the areas that will help parliament to be strong enough to prevent it being used as a rubber stamp for executive policy decisions. The executives across the continent does not help matters by constantly finding ways to compromise the financial autonomy of parliaments. In parliamentary and hybrid parliaments there is the added issue of sitting MPs looking for ministerial positions from the executive and such behaviours

does not auger well for the autonomy of parliament to be able to have meaningful oversight over executive actions and governance. Good and democratic governance requires a good oversight which further requires parliament with a financial backbone to call the government to order. That has a long way to go in Africa's strive for good governance and a strong institution as parliament.

The Judiciary as Strong Institution

- The judiciary is that arm of government that is out there primarily to adjudicate disputes that arise out of the governance process. As it relates to the executive and parliament the executive proposes judges to the supreme court and they are approved by parliament. Like all ministerial nominations parliament's appointment committee scrutinizes the nominated judges to satisfy itself that they are fit for purpose and recommends to parliament to approve

- or otherwise. The judiciary interpretes all disputes relating to the spirit and letter of the constitution and in so doing keeps the executive within the constitutional limits set for it. Of the three arms of government the executive is the most likely arm that is likely to do things in the process of governance that goes beyond its powers and which have to be ruled ultra vires by the judiciary. The challenge of a strong institution is for the judiciary to be above manipulation by

neither of the other two arms of government, especially the executive which tends to have various tools it deploys to influence the judiciary. Among these tools is the power of appointments to the supreme court and a governance system with an independent judiciary bodes well for the democratic governance of the country.

Strong and Independent Press

- Apart from the three arms of government, a strong and independent press adds to the credentials of a country's governance as good and strong. The press tend to be the agenda setters for the governance of the country, by using investigative journalism to throw up issues that the government may want to keep under the carpet. The press brings up the issues that the executive may be unaware of and in so doing helps unearth wrong doing and the need for corrections. The executive must not be seen to manipulate

the press. The press must be insulated from executive control and influence and so the constitution provide for an independent Press commission to regulate the activities of the press. What do we see of the press in Ghana and Africa? The press is nominally independent because they eat from the pots of the executive and money bags and because they are looking for largess most of the time, they don't help to strengthen the system but weaken it by the acts of corruption

and sycophancy.

The government is seen as a tripod sitting on and deriving strength from its three legs, but the nature of African governance is such that the tripod is weakened because the executive arm largely emasculate the judiciary and the legislature and the two look up to the executive virtually for everything particularly financing. So the African governance experience is a structure that is pretty weak and this affects

governance which doesn't make governance anything to write home about.

Good Governance and Climate Change

How does good governance relate to climate change? This relates to the politics of climate change. How the government relate to climate change lies in how the institutions of governance react to the impact of climate change. This is done mainly by the government making policy to deal with the impact of climate by

- First recognizing the impact on various aspects of impact of climate change on society and making policy which is made into law through the legislature and the judiciary adjudicating disputes that may arise out of the policy implementation. Various ministries like Food and Agriculture, Fisheries, Land and natural resources all have to make policies to deal with the impact of climate change, which in itself is a challenge. The UN has shown the way with various programs

to deal with climate change and governments around the world are looking at how it affects its people and make policy to deal with the impact of climate change as it impacts areas like manufacturing, fishing agriculture land and mining. The challenge of good and strong governance in Africa is an ability to recongnize the impacts of climate change and make policy to deal with the impacts. Ready