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Annex 3: Managing the Environment

3.1 Introduction

In recent years environmental management has acquired a high profile in Ghanaian districts. This is evident in Brong Ahafo in bye-laws regulating the use of fire on-farm and in the bush, in attempts to regulate charcoal production and to regulate hunting. It is also reflected in institutions that have developed to manage the environment including District Environmental Committees and Fire Volunteers or Fire ‘Mobisquads’. Districts have responded to pressures to implement policies, and create environmental institutions, committees and bye-laws. But these are often ill served by information systems based on empirical analysis of existing conditions within the district.

As a result, environmental policy tends to be informed by grand narratives emanating from received knowledge on the environment rather than changing conditions within the district. This encourages a top-down implementation of policy in which rural producers are considered as somewhat backward and conservative, to be cajoled into doing things in new ways rather than viewed as professionals capable of contributing new insights to knowledge. This results in the alienation of rural producers from policy frameworks, and leads them to mistrust policy processes. In contrast with this, the approach used here starts from the premise that natural resource management is concerned with a series of complex relationships between people and resources, which often interact in unforeseen ways and lead to unpredictable outcomes (Röling and Wagemakers 1998).

Knowledge and understanding can only be facilitated by creating inclusive frameworks, which allow a wide range of natural resource users to bring their understanding and perspectives to policy fora, and by creating information systems which rely on feedback from various localities.

Environmental policy should be democratic and create platforms for learning and decision-making that enable:

- (a) policy makers to gain empirical data on conditions within the district;
- (b) natural resource users the tools to:

- facilitate their understanding of their environment;
- apply a set of principles on which they agree to the management of their locally specific situation;
- to articulate their problems at policy fora to policy makers and other natural resource users.

3.2 Structures for Decentralised Environmental Policy

The Environmental Action Plan for Ghana gives a high priority to the promotion of popular participation in the planning, evaluation and implementation of environmental policies. The framework in which civil society participation in environmental management is construed is that of decentralisation.

Within the framework of decentralisation, the Environmental Protection Agency (EPA) has the mandate to facilitate the emergence of district environmental committees, and of other community level organisations such as the Fire Mobisquads or Fire Volunteers. The EPA is also responsible for developing environmental education within the districts. At the national level the EPA is responsible for drawing up national environmental plans which implement policies reflecting the international agreements and treaties to which the Ghana State is a signatory. The EPA operates at the regional level, developing regional environmental plans, coordinating the activities of the various district assemblies, and providing technical backstopping and training to enable districts to formulate bye-laws and implement policies. However, this ambitious mandate of the EPA is not matched by its resource and information base. As a result of this its policies are not prepared on the basis of an operational information system that is updated as conditions change, but by grand narratives of perceived environmental change and degradation, and received wisdom in which rural producers are frequently seen as villains, destroying the environment. A better understanding of the processes of decentralised environmental management requires an understanding of the structures and processes of decentralisation.

3.2.1 Structures of decentralisation

The framework for the current structure of decentralisation in Ghana was established by the Provisional National Defence Committee (PNDC) Law 207 of 1988. This enacted a new structure

for local government based on devolution of central government functions to 110 local districts within a three-tier structure of Regional Coordinating Councils, District Assemblies and Town Area Councils/Unit Committees. The District Assembly is the highest administrative authority in the district. It consists of elected and appointed members. Two thirds of the members are elected every four years and the other third are appointed by the president in consultation with traditional authorities and other interest groups in the area. The District Assembly is headed by a District Chief Executive who is appointed by the president. The 1992 Constitution makes the further provision that the DCE can only be appointed by the president with the prior approval of two thirds of the Assembly. The DCE can also be removed by two thirds of the Assembly passing a vote of no confidence. This is an attempt to make the DCE accountable to the Assembly. The DCE is responsible for the supervision and co-ordination of departments and organisations within the district, the executive committee and the various subcommittees. The DCE is also the link between central government and the district, conveying and explaining the programmes of central government to the people. The members of the District Assembly also elect a Presiding Member from within their ranks, who chairs Assembly meetings. The structure of the assemblies is as shown in Table 3.1.

The districts are divided into electoral areas, each of which elects an Assembly Member to the District Assembly to represent their interests at Assembly meetings. The Assembly Members participate in the meetings of the Assembly and vote to ratify policies.

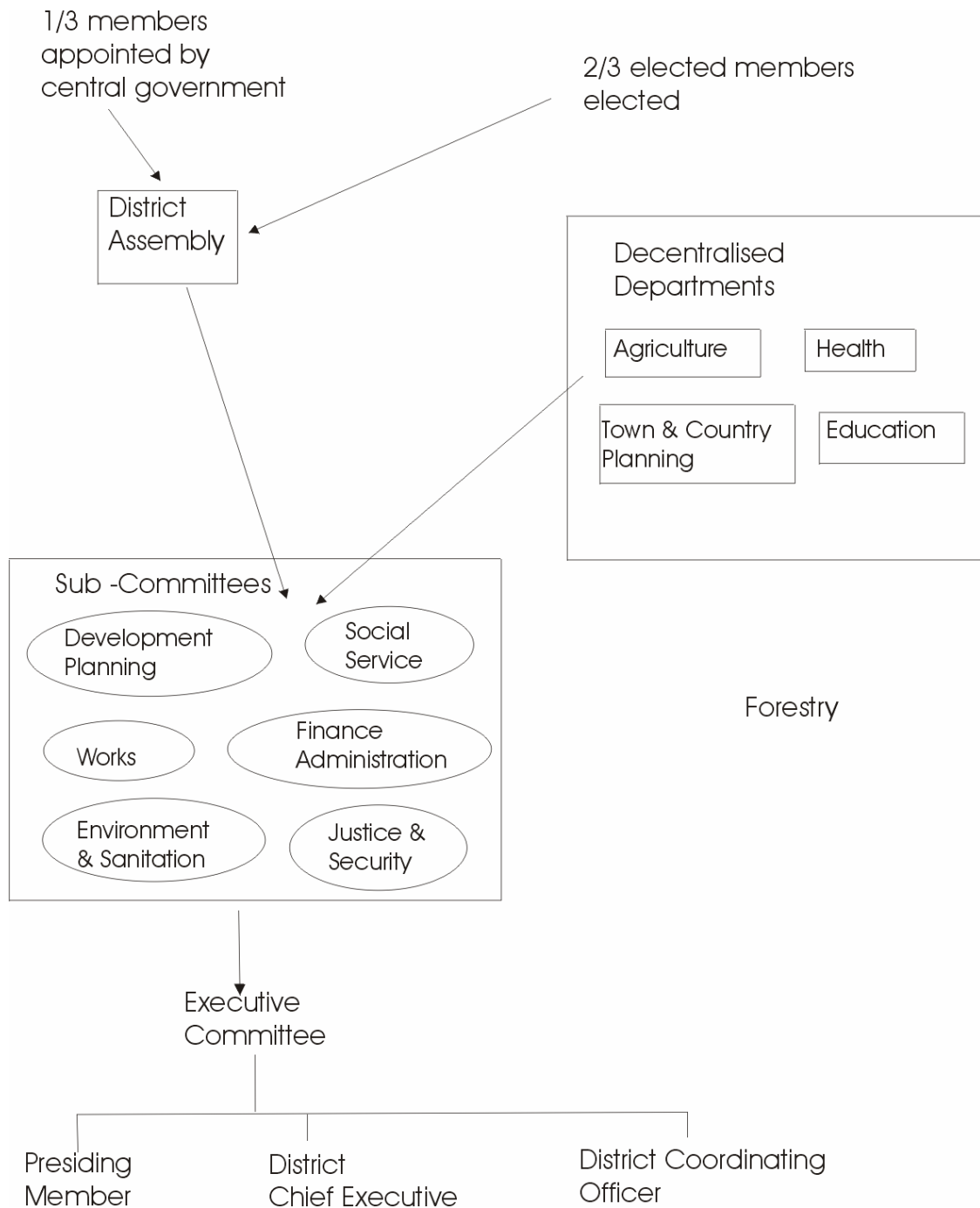
The Local Government Act of 1994 (Act 462), the National Development Planning Commission Act of 1994 and the National Development Planning (System) Act of 1994 establish the framework for development planning. The District Assemblies are empowered as the legislative body for local or district level planning to prepare district development plans. In theory these plans are to be initiated with the full participation of the local community. Under Section 3 of the National Development (System) Act it is obligatory for a district authority to conduct a public hearing on any proposed district development plan and to consider the views expressed at these hearings before the adoption of proposals as a district development plan. A local community in a district is authorised to prepare a sub-district or local action plan under the Act and is required to conduct a public hearing prior to the adoption of proposed plans.

Decentralisation also recognises the importance of devolution of resources, decision-making and tasks to democratically elected lower-level authorities that operate independently of central government. PNDC Law 207 defines the basic activities of the assembly as consisting of the following:

1. Developing a comprehensive plan for economic, social and spatial development within the district;
2. Integrating various sector plans;
3. Preparing a district development plan and annual budget;
4. Mobilising the natural, human, and financial resources within the district and protecting the environment;
5. Promoting social development and productive activities;
6. Initiating programmes for the development of basic infrastructure and provision of municipal works and services within the district.

To carry out these responsibilities, the Local Government Act of 1994 reorganises all sector departments into 12 district departments directly under the district assembly. The District Assembly comprises a four-tier organisation: the assembly, the executive committee, the sub-committees, and the sector departments.

Figure 3.1: Structure of the District Administration



The Executive Committee of the Assembly coordinates the plans of the district and recommends these integrated plans to the assembly for ratification and adoption. The sub-committees identify the economic resources and potentials of the districts, develop an information base, identify opportunities and constraints and consult with other sub-committees about integrating plans before submitting them to the Executive Committee for integration with other plans. The sub-committees consist of Assembly members and members from the various departments within the district. The various departments are responsible for implementing the plans of the assembly and participating in developing district plans.

Members of rural communities are represented at the assembly by their elected assembly person who is responsible for identifying their interests through public meetings and representing their interests at assembly meetings. The ability of rural producers to get their heartfelt issues taken up by the assembly will thus depend upon the ability of the assembly member to understand their perspectives and to represent these positions at assembly meetings. It also depends upon the ability of sub-committees to have sufficient information on these issues and an understanding of these issues. Since some of the most informed members of the sub-committees will be the directors of departments and the development officers within departments, the ability of departments to understand, analyse and represent the interests of producers will also be of prime importance. But the sub-committees should also be able to set new agendas for departments which reflect the interests of the constituents.

The Assembly Member represents the interests of electoral areas at the district level. The operational level of local government administration is represented by Unit Committees and Area Councils. The Unit Committees consist of 15 members of whom two-thirds are elected. The Unit Committees are responsible for implementing local development administration. Their main function is to organise community labour, educate the community on district bye-laws and government decrees, raise local revenues, monitor self-help projects, maintaining the environment, and keeping a registry of births and deaths. Several Unit Committees come together to form an Area Council. The Area Councils are responsible for managing local development, initiating development projects and plans, collecting local revenues, and establishing local level sub-committees. They are supposed to be the lowest level executive units with an established office

and a functioning secretariat and committees. In practice many Area Councils are as yet not fully functioning. There are many tensions between the Unit Committees and the District Assemblies, particularly over the control and allocation of scarce revenues.

Revenues have been a serious constraint in the operation of many district assemblies. Most districts have insufficient revenue to meet their development needs and to support a fully functioning process of development planning. A large number of District Assemblies have weak planning processes that lack transparency. Funds are frequently expended on constructing new offices for the district assembly, or houses for the DCE rather than expended on rural development (Crook and Manor, 1998; Ayee, 1996). This has prompted some commentators to dismiss decentralisation as a process promoting corruption. One notes, however, that lack of transparency in planning procedures is evident not only at the district level.

The Regional Coordinating Units are responsible for coordinating the plans of various districts and integrating them with national development policies and allocating to the districts public funds and grants approved by central government. They are coordinating rather than decision-making bodies.

Within the context of decentralised environmental management, the Environmental Protection Agency acts to coordinate environmental planning within the districts and integrate them with national environmental plans and international commitments. It is responsible for initiating environmental awareness campaigns, advising the district assembly on enacting environmental bye-laws, and helping to establish District and Area Council Environmental Committees. In addition to this, it is also responsible for the coordination of Anti-Bushfire Campaigns and works with the Fire Service to mobilise community level Fire Volunteer Squads.

At the District Assembly environmental issues should theoretically be discussed at Assembly meetings, and issues identified by the deliberation of assembly members based on the experiences of their electorate would be taken up by the Environmental Committee. The Environmental Committees should recommend bye-laws which would be discussed by the assembly before they were ratified. Within the settlements, the Unit Committees and the Area Councils should theoretically implement bye-laws, collect revenues from the issue of licences and permits for

natural resource extraction and revenues from crops and other produce leaving the district. They should initiate projects for the protection and enhancement of the environment. The Area Council planning process would involve meetings between the unit committees and the community.

In practice these procedures are undermined by several factors which, in their turn, undermine the establishment of democratic environmental decentralisation administered by elected representatives accountable to an electorate who participate in local level planning. These include the role of the Forestry Service in natural resource administration, the role of the Fire Volunteers, and the role of chiefs.

3.2.2 The Forestry Service and natural resource management

The decentralisation of natural resource management has been hampered by the resistance of the Ghana Forest Service (formerly, the Forestry Department) to decentralisation. The Forestry Service has argued that timber resources are national strategic resources that need to be managed for the benefit of the nation. It has argued that decentralisation of timber resources will have disastrous consequences for the sustainable management of timber and forests. It has proposed that forestry resources within the northern savanna sector (where commercial timber exploitation does not exist) can be decentralised, but not in the southern sector. It has initiated two natural resource management programmes: an experimental ‘Savanna Natural Resource Management Programme’, with community and District Assembly participation; and the highly centralised high forest ‘Natural Resource Management Programme’, without District Assembly participation. To avoid the legal obligations to reorganise as a decentralised department under District Assemblies, it has reconstituted itself as the Ghana Forest Service, a semi-autonomous civil service organisation with an independent charter.

During the 1990s forest resource management became more centralised, with the Forestry Department/Service taking over the management of off-reserve timber resources outside of concession areas. These resources were originally managed by the District Assemblies, which issued permits to chain saw operators, mortar carvers, and other wood carvers for the exploitation of individual trees. More recently, the ability of local users of timber resources to gain access to their raw material legally has been eroded with the implementation of the chainsaw ban.

The Forestry Service has also initiated its own programme of community participation in forest management with the enactment of Community Forest Committees (CFCs), which liaise between communities and the Forestry Service in the management of timber. The role of the CFCs has been defined by the Forestry Service as:

To co-ordinate consultative mechanisms on forestry issues at the community level. These can be in the areas of policy formulation, management planning, project preparation, resource regeneration and protection, and contract negotiations (Asare, 2000:6)

The CFC members are selected essentially by the Forestry Service in consultation with 'the community'. This consists of:

Representatives of all primary stakeholders who are connected with (forest) land use, community development, traditional leadership, and community organisation. The envisaged primary stakeholders that are represented are obviously the chiefs, as chieftaincy remains the key institution where land matters and local consultation is concerned. Also, farmers, the youth, women, migrants, tree planters and forest users such as hunters, herbalists and NTFP collectors are all represented. At all times, extremely close contact will be maintained with the unit committee and the assembly members through their representatives on the committee (Asare, 2000:5).

Once selected the Forestry Service provides capacity building training for the CFCs:

As a first step to building their capacity, the committees will receive training in forestry and allied subjects to enable them to perform their roles creditably. It is hoped that a Handbook for Communities on Forest Management will be prepared. The Handbook will contain all the information the CFCs need on Forest Policy, Forest Laws and Regulations, Plantation Development, NTFP harvesting rights, Timber Exploitation and so on. Additional training may also be provided in Participatory Rural Appraisal, workshop management and so forth (Asare, 2000:5).

In evaluating the performance of the pilot CFCs, Asare (2000:8) concludes:

Under the ITTO/FSD project, 13 CFCs have been established at three pilot sites in timber resource rich, medium and poor availability in Dunkwa (Diaso), Offinso, and Nkoranza.

[...] The formation process was initiated in 1998 and the committees inaugurated at the City Hotel in April 1999. Since then the CFCs have chalked immense successes in the area of seedling production and plantation establishment, prevention of illegal activities in forest reserves through arrest of offenders, monitoring of timber operations of TUC holders and the mounting of educational campaigns on forestry issues to community members. Some of the CFCs have secured authorisation to mount roadblocks to check illegal chain-sawing activities. This has resulted in the lowering of illegal operations in those areas where CFCs are operating (2000: 8).

From the above it is evident that the CFCs have been created primarily to meet the objectives of the Forestry Service in managing forest reserves, maintaining the monopoly position of the timber industry, bolstering the claims of chiefs over timber resources, policing timber resources, and promoting plantation development. The CFCs do not strengthen civil society participation in natural resource management to any significant extent, since they do not promote debate on local needs and interests in natural resource management. Furthermore, they undermine the role of district decentralisation in natural resource management, and any concept of electoral democracy and accountability. The function of community participation is essentially to meet the narrow technocratic needs of the forestry service.

3.2.3 The Fire Volunteers and natural resource management

Following the 1983 bushfires, a National Anti-Bushfire Committee (NABFC) was set up, to be coordinated by the Environmental Protection Council. The NABFC made recommendations for the setting-up of Fire Volunteer Squads in every village. The Fire Service was made responsible for their training. Training consists of military drills and rudimentary fire fighting techniques. The Fire Volunteers have the mandate to fight fires in their villages and also to prevent the outbreak of fire by implementing bye-laws regulating the use of fire. These regulations restrict use of fire in hunting, by palm-wine tappers during the dry season, the cooking of food on farm during the dry season, and the burning of farm slash during the clearing season. Bye-laws require that the burning of farm slash is supervised by a fire volunteer. Many of the Fire Volunteer Squads have extended their power to include monitoring other environmental bye-laws, including the restriction of cultivation in the immediate vicinity of streams. In some areas, such as the Nsawkaw area

council, their mandate includes monitoring charcoal production. People who contravene the bye-law can be reported to the chiefs or police for arrest and prosecution by the Fire Services.

While the outbreak of fires is of concern to the rural community, farmers have developed skills in controlling them and preventing fire spreading to their farms. Many farmers create firebreaks around their farms. Some farmers take their time over burning, burning small portions of the farm in a controlled method which prevents the fire getting out of hand. Within the northern parkland zone many farmers develop techniques of early burning, or weeding at the onset of the dry season, to prevent the spread of fire. Yam farms are often cleared from September onwards, effectively checking the spread of fire into the next season's farm. The fire volunteers simply do not have the skills and knowledge of the farmers in controlling fire.

The Fire Volunteer Squads usually consists of youths who are willing to undertake the training by the Fire Service as part of a community fire fighting group. They charge the farmers a fee for supervising the burning of their farm plot. At Buoku, in early 2002, fire volunteers were charging farmers ₦20,000 for supervising the burning of the plots, while the bye-laws of the Wenchi Traditional Area against bush fires recommend ₦5,000 for farms up to 5 acres and ₦10,000 for larger farms. These are considerable sums for farmers (compare, for example, the fact that an acre of land can be rented for one year at Subinso for between ₦20,000-40,000).

Since there are no clearly defined checks and balances on the Fire Volunteers or system of accountability, the regulation of fire can easily degenerate into rent-seeking activity. Given the large number of farms in any locality, the feasibility of fire volunteers supervising the burning of rubble of every farm is highly unlikely. In some settlements large numbers of people join the fire volunteers to make sure they can evade payment of supervision fees for bush clearance and cover their family members. Ultimately, the present organisational structure of fire volunteers can send negative messages that environmental management constitutes another politically organised rent seeking activity.

3.2.4 Chiefs and natural resource management

Chiefs are playing increasingly important roles in natural resource management. Their authority emanates from their claims to ultimate ownership of the land and rights to establish customary bye-laws over usage of the land. Apart from having rights to gain fees from migrants exploiting natural resources in their domains, chiefs are increasingly being empowered to enact environmental bye-laws and fine transgressors. In 2001 the Brong Ahafo Regional Co-ordinating Council has proposed a new bye-law which will hold the traditional authorities responsible for the outbreak of bush fires in their areas. Traditional authorities are now busy enacting bye-laws to control bush-fires.

The bye-law enacted by the Wenchi Traditional Authority on 25th October 2001 recommends that every village under Wenchi Traditional Authority should set up an Anti-Bush Fire Volunteer Squad and that there should be no bush burning between 1st December and 31st March each year. Among the causes of bush fires it identifies “recalcitrant farmers who insist on burning their new farms at the wrong time”. The bye-law establishes the fine for burning a farm without the supervision of Fire Volunteers as ₵500,000.

3.2.5 District Chief Co-ordinating Executives and Natural Resource Management

The DCE is an appointed official of the government whose main role is to present the government’s development policy to the District and ensure that the District Development Policy reflects government policy. The DCEs are thus accountable to government rather than to the district electorate, although they can be removed by a vote of confidence of two thirds of the assembly. In environmental policy, the role of the DCE is to present the government’s environmental policy and to ensure that it is implemented within the district. This tends to reinforce a top-down approach, which is more concerned with ensuring that the population of the district adheres to national policy than that national policy is informed by the needs of the electorate of the district.

3.2.6 The role of Assembly Members and Unit Committees in Natural Resource Management

Within the prevailing structures of current district administration it would be difficult for Assembly members or Unit Committees to question environmental policy or to seek to adapt it to

the needs of their constituencies. Environmental policy tends to be transmitted to the Districts as a set of prescriptions which Assembly Members and Unit Committees are required to implement. For instance, the Bye-Laws against Bush Fires enacted by the Wenchi Traditional Area with sanction from the Regional Co-ordinating Council require the Unit Committees and ‘Assemblyman’, alongside the chief of the village, the chief hunter, and ‘a woman’ (unspecified) to set up a committee to supervise Fire Volunteers in implementing the bye-laws. There are no provisions for Assembly Members and Unit Committees to set up a consultative community fora to examine the problem of fire and devise suitable solutions. There are also few avenues through which Assembly Members and Unit Committees can get access to dispassionate information on the environment, since most information is disseminated to the districts in a rhetorical and prescriptive form defining a series of necessary actions which need to be taken to preserve the environment and regulate its utilisation by the rural population.

Given these constraints the main options open to Assembly Members and Unit Committees are to:

1. act as spokespersons for government environmental policy and advocate the relentless implementation of bye-laws at the risk of unpopularity and future electoral failure;

OR:

2. ignore environmental policy and implement it half-heartedly;

OR:

3. take advantage of the considerable confusion, conflicting responsibilities of different authorities and lack of accountability to community organisations to engage in rent-seeking behaviour.

Linkages and consultation mechanisms to bring together Assembly Members, Unit Committees and the rural inhabitants are poorly developed. In the survey of farmers, 54 percent of the respondents claimed that they did not attend meetings with the Assembly Member or Unit Committee and 79 percent felt that the Assembly Member and Unit Committee did not perform useful development functions.

Of the 21 percent who felt the Assembly Member and Unit Committee were of some help, the overwhelming majority (17 percent of respondents) saw their role as the provision of social services. Other useful functions ascribed included the re-gravelling of roads (two percent),

promulgation of bye-laws (one percent), and controlling charcoal burning (one percent). A significantly larger percent of women than men did not attend meetings called by the Assembly Member or Unit Committee. Sixty-one percent of women did not attend Unit Committee meetings as compared to 48 percent of men and 86 percent of women felt the Unit Committee and Assembly Members were of no use, as compared to 66 percent of men. Several women complained that Unit Committee meetings were for men or that the Unit Committees called meetings in the evening at precisely the time when they had to cook the evening meal for their families. Women are poorly represented in the District Assembly. In the Wenchi District only two Assembly Members are women. In a survey of the composition of 55 Unit Committees in the Wenchi district carried out by the research team, only 113 (17 percent) of 663 members were women.

Seventy-eight percent of all migrants, as compared to 82 percent of indigenes, felt that the Assembly Members and Unit Committee did not perform useful functions. However, ninety percent of migrants for the Upper West Region (the dominant category of migrants with 49 represented in the sample) felt the Assembly Member and Unit Committee were of no help. A larger proportion of migrants than indigenes claimed to attend Unit Committee meetings - 53 percent of migrants said they attended these meetings as compared to 41 percent of indigenes. (However, only 41 percent of the dominant category of migrants, from the Upper West Region, said they attended the meetings.) In the survey of Unit Committees, only 12 percent of the members were migrants, of which 45 percent originated from the Upper West Region.

Most Unit Committee members are farmers. In the survey of Unit Committees, 81 percent of Unit Committee members identified themselves as farmers. In terms of their educational background, 37 percent had no formal education, 5 percent had primary education and the remaining 50 percent had progressed to middle or secondary school. Of the 35 Assembly Members interviewed in the Wenchi District 97 percent originated from the Brong Ahafo District, of which 92 percent classified themselves as local. The other 3 percent originated from the Upper West Regions. The largest proportion of Assembly men were teachers, who made up 49 percent, as compared to 26 percent who were farmers, 6 percent traders, 3 percent civil servants and 17 percent consisted of other miscellaneous occupations.

Given the poor linkages between rural dwellers and their representatives in district administration it is not surprising that environmental policies are poorly implemented and are frequently given low priorities. The majority of Area Councils do not have environmental committees and many communities, particularly in the northern transition zone, do not have functioning Fire Volunteers.

A second outcome of these poor linkages is that the prescriptive framework for environmental management with its emphasis on blame and lack of empirical justification, and the weak articulation of structures of local natural resource administration, tend to be manipulated within communities by different political interests in struggles to gain control or access to resources. This is evident in conflicts over charcoal management.

3.3 Charcoal Management Issues

In 1995, several district assemblies in Brong Ahafo introduced bans on charcoal production or the export of charcoal out of the district (Jongkind 1996). This was fuelled by heightened international and national concerns about environmental degradation following the earth summit, but also local concerns about the control of charcoal production by migrants. This contributed to “increasing feeling by indigenous groups of irresponsible exploitation by the present producers” (Jongkind, 1996).

3.3.1 Social organisation of charcoal production

The main producers of charcoal in the transition zone are Sisala migrants from the Upper West Region, who have organised the system of production and marketing from the rural areas to the large urban centres. The Sisala usually negotiate rights to exploit charcoal from local chiefs. The main trees they favour for charcoal include *Anogeissus leiocarpa*, *Terminalia glaucescens*, *Pterocarpus erinaceus*, and *Lophira lanceolata*. The main environments in which charcoal burners operate are parklands. The trees which are most suitable for charcoal are those which have some degree of fire resistance and burn slowly. Charcoal burners prefer to extract charcoal from dead trees since live trees have to be dried before they can burn. They also pay revenues to the district assembly, levied on every bag of charcoal transported beyond revenue collecting points in the district. Charcoal is the third most important source of revenue for the Wenchi District Assembly (See Table 3.1).

Table 3.1 Revenues of the Wenchi District Assembly for 2000

Source of Revenue	Amount (cedis)
Farm produce	58,740,280.00
Market fees	57,708,270.00
Charcoal	36,974,800.00
Property Rate	27,395,077.00
Lorry Parks	14,986,900.00
Basic Rates	7,673,700.00
Self Employed Artisans	5,940,000.00
Stool Lands	5,400,000.00
Unvalued Property	4,422,520.00
Beer, Spirits & minerals	4,061,500.00
Plot Approval / Building Permits	3,571,000.00
Entertainment Fees	3,077,450.00
Traders	2,955,700.00
Stores, Sheds & stalls	2,504,400.00
Lumber Dealers	2,103,500.00
Restrained Animal fees	1,815,000.00
Sand & Stone contractors	1,636,000.00
Herbalist & physicians	1,429,000.00
Royalties	1,410,650.00
Undeveloped Property	1,193,500.00
Corn & Flour Mills	1,142,300.00
Slaughter of Animals	861,200.00
District weekly Lotto	857,500.00
Day care Centres	832,000.00
Contractors	821,000.00
Bush Meat	300,000.00

Source: Wenchi District Assembly

The Sisala charcoal burners are socially differentiated. The wealthiest have access to lorries to transport charcoal to urban markets and also purchase charcoal from smaller producers. The poorest charcoal burners cannot afford to gain rights to trees or to purchase sacks in which to

transport the charcoal. They either work on contract for larger charcoal producers or gain loans from traders which they pay back in charcoal.

Before the mid-1990s, charcoal burners gained permits from the chief and were able to extract charcoal freely within the political domain of the chief, from the fallow lands of farmers. By the mid-1990s there were increasing conflicts between farmers, youth and migrant charcoal burners and many charcoal burners were expelled from communities by farmers who claimed they were destroying the environment. This was mainly in yam producing areas, where the main trees considered suitable for charcoal occur. The farmers allege that as a result of charcoal burning large numbers of trees are being cleared from their land, and this has an adverse effect on yam cultivation. They also allege that yam cultivation does not do well in the areas of land on which charcoal is burned.

3.3.2 Case studies of charcoal production

With the development of a national environmental discourse responding to international concerns and pressures on district assemblies to develop environmental policies, farming communities and assembly members began to redirect the environmental discourse against Sisala charcoal burners, chasing them out of their communities. They were emboldened by bye-laws of district assemblies banning charcoal production. However, this has not necessarily led to diminished charcoal production. In many cases charcoal production has in fact expanded, with local youth replacing the migrant Sisala as the main charcoal burners. This is the case at Mansie, where charcoal burning is now the mainstay of youth, who originally studied the techniques of burning from Sisala charcoal burners and then chased them out of the settlement before taking over the industry.

At Weila, the process of local take-over of charcoal burning has occurred over the last two years and can be documented. In the first stage the chief of Weila granted permission for migrant charcoal burners to operate in fallow lands in return for a fee. The youth in Weila began to study the charcoal-making process. In the second stage farmers began to complain of the damage done to fallow land by charcoal burners and local youth began to produce charcoal. In the third stage, following the attempts of the Kintampo district assembly to ban charcoal, farmers and youth began to demand that charcoal production should be regulated. The chief was pressurised into creating

local bye-laws to regulate charcoal production. This prevented charcoal burners from exploiting live trees and limited charcoal burning to trees cleared on farm plots. On yam farms these trees are processed into charcoal after the yams had been harvested and the trees used as stakes. On maize and other food plots the trees are processed into charcoal before planting. The charcoal burners now had to pay the farmers a fee for exploiting the tree resources on their farm, and the migrant charcoal burners had to compete with local charcoal burners who could gain favoured access to land from farmers who were their own relatives, and who could also clear land to make farms in their own right. Frustrated, the Sisala charcoal burners decided to move on to other localities and local youth gained control over charcoal resources. However, in the process the chief lost access to the revenues he gained from granting rights to migrant charcoal burners and cannot levy local youth since as citizens they can claim rights to farmland and natural resources. The chiefs and elders allege that the youth are cutting charcoal from green wood in the bush and vow to make sure that the youth are brought to heel and obey the bye-laws.

In the Nsawkaw area, a slightly different outcome has occurred. Our story begins in a familiar way. Sisala charcoal burners move into the well wooded environs of Nsawkaw and negotiate rights to exploit trees for charcoal with the paramount chief of Nsawkaw and other chiefs in the villages in which they work. Farmers begin to complain about the exploitation of charcoal on their fallow land and its negative impact on the environment. This is taken up by an assembly member who is prominent in the district environmental sub-committee. He is instrumental in organising a district environmental committee with assistance from the regional EPA and in organising the fire volunteers. He is hostile to charcoal production and to Sisala charcoal production. The EPA and Fire Volunteers become involved in regulating charcoal production and ensuring that charcoal is only produced from dead wood on cleared farms.

Conflicts emerge over charcoal production. Some migrant charcoal burners allege that some farmers sell dead trees on the farm to charcoal burners. When the charcoal burner has finished processing the charcoal a relative of the first farmer will claim that the land belongs to him and will seize the charcoal and refuse to release it until the charcoal burner has paid him off. Other charcoal burners complained that members of the Fire Volunteers and the Unit Committee seize charcoal which they have processed from dead farm wood and claim that the charcoal has been

produced from live trees off-farm. This pretence is maintained until the charcoal burner pays them off. Other charcoal burners narrate how some indigenes release land to Dagaaba farmers with the intention of exploiting the land for charcoal. When the Dagaaba farmers have cleared the land the indigenous landowner then sells the cut trees to charcoal burners as dead farm wood. The value of the charcoal is far higher than rent for agricultural land.

With increasing conflicts over charcoal, rival centres for judging the cases developed. Some charcoal burners preferred to take the case to the chiefs and elders with whom they originally negotiated for land on which to exploit charcoal. The Unit Committees in Nsawkaw refused to recognise the authority of the chief and elders to judge cases over charcoal, arguing that this is the mandate of the Environmental Committee. They refused to participate with the chiefs in negotiating these cases, arguing that the chiefs are illiterate. The dispute flared up into a confrontation between youth led by the environmental committee, and the paramount chief. The paramount chief was forced to leave Nsawkaw town. The chief reports to the DCE that the Assembly Member encouraged the youth of the town to be insubordinate. The DCE reprimanded the Assembly Member, who also moved out of the town to Wenchi, and the activities of the Environmental Committee were suspended.

The monitoring of charcoal production now came under the Fire Volunteers. Gradually tempers cooled down and the youth become more conciliatory. The farmers tempered their aversion to charcoal production by becoming more accommodating. They now recognise that their brothers and sisters in the urban areas need charcoal with which to cook the food they purchase from them. They recognise that you cannot farm without cutting trees. They realise they are getting useful incomes from selling trees to Sisala charcoal burners, and Nsawkaw has become a major charcoal producing centre. Some of the youth have tried their hand at charcoal burning, but it is not as easy work as they thought it would be. There is a gradual recognition that the charcoal burners are providing opportunities for farmers to gain useful supplementary incomes.

New institutional innovations may develop to make charcoal production more sustainable. In some instances farmers and charcoal burners negotiate and plan charcoal extraction before the start of the farming system. The charcoal burners will inspect the area the farmer intends to clear, and

negotiate for trees they are interested in burning. The charcoal burner will arrange for a chainsaw operator to come in and fell the trees. In yam farms, the charcoal burner will wait for the end of the yam harvest before burning charcoal. At Njau and Tanoso an arrangement has been worked out whereby a fire volunteer from the other settlement (that is to say, a fire volunteer from Tanoso in Njau, and *vice-versa*) will inspect the trees which charcoal burners intend to exploit and certify that they are dead wood. Gradually more transparent structures and institutions for negotiation are coming into being within a situation of simmering conflicts.

At Nsawkaw some charcoal burners estimated that they pay the traditional authorities ₺60,000 per annum for rights to exploit charcoal. In addition they pay farmers from ₺200,000-₺2 million for rights to exploit dead farm trees depending on the potential value of charcoal exploitation from the farm. They pay the District a levy of ₺1,000 on every bag of charcoal produced and the Traditional Council ₺100 on every bag of charcoal processed. Negotiating bodies are evolving from the community level, and from an implicit understanding of the value of charcoal, rather than from the higher echelons. These latter (the District Assembly Environmental Committees and the regional and national structures of environmental management) are still rooted in grand narratives of impending crisis narratives and environmental destruction by rural producers.

Networks of farmers and charcoal burners would have been better served by structures which would have facilitated negotiation in the first place. However, these options were not open to farmers whose rights to charcoal production were not originally recognised. Through these various strategic machinations and intrigues farmers have been able to gain rights to sell trees on their farms to charcoal producers. These struggles have ultimately targeted chiefs as much as they have charcoal burners. Once farmers win rights to sell trees they can become accommodating. However, some chiefs may also respond by becoming vindictive, as perhaps is the case at Weila, pursuing environmental management as a way of continuing a struggle with the youth over control over charcoal revenues.

Given the high value of charcoal resources to the transition zone district assemblies, it is surprising that they have not evolved structures to promote more sustainable production of charcoal. The extent of the charcoal resources within the transition zone districts remains largely unknown, as

does the extent of their depletion. The present level of exploitation, the optimal level of exploitation and the trends in timber exploitation remain in the realm of conjecture (Adjei Sakyi, 1997). In place of a dispassionate assessment of the trends in charcoal production, or the creation of an institutional structure for collecting information on charcoal exploitation, and the opening of debate on improved charcoal management among different stakeholders and interest groups within the district, the regulatory structures of district administration are justified by a moral rhetoric.

Appendix to Annex 3: Local Government Reform in Ghana

a) Origins and progress of decentralisation in Ghana

Origins of decentralisation

The present structure of decentralised local government in Ghana has its roots in the crisis of the late 1960s and 1970s, and the changes brought about in response to the political decline by the PNDC.

The British colonial model of local government was heavily dependent on the intermediary role of traditional chieftaincies. These were given a central place in local government, particularly in mobilising communal labour. Local government reforms were introduced in 1951, which provided for district and local committees, two-thirds elected and one-third appointed by the chiefs. Following decolonisation in 1957, a system of fully elective district administration was introduced. However, first under Nkrumah's CPP administration, and then under subsequent military and civilian administrations, local government became subordinated to the needs of the central government, to the detriment of the citizenry (Amanor and Annan, 1999). Throughout the period of independence, local authorities and the stool chieftaincies have been played off against each other, by successive governments, none of which have ever had sufficient power to risk creating a genuinely representative and independent tier of representative local government. Fear of regional and/or ethnic separatism has also conditioned the response, and caused governments to hold back from any substantial shift in political authority (Haynes, 1991).

During the CPP period, the chiefs were seen as the main threat to modernisation, and town and development committees were used to counter their power. These were kept firmly under the control of the CPP-appointed district commissioners, however. With the overthrow of Nkrumah in the military coup of 1966, power shifted back to the chiefs, and the district committees declined in power. Nine Regional Councils were created, with primary development planning roles. The Busia government (1969-71), although initially critical of the centralist approaches of its predecessors, subsequently reinforced this tendency. Both Regional Chief Executives and Chairmen of the District Councils were appointed by the central government. The National Redemption Council (NRC) which took power in the coup of 1971 likewise failed to honour its commitments to devolution. Neither of the two elective levels promised in its programme of local government reform (local and regional councils, which were to be located, respectively, above and below the district level) was ever created. District Councils formed the main vehicle for local administration, but these were relatively large (there were 65 of them, with authority over populations of between 150,000 and 240,000). Central government retained control over most development processes, and public disillusionment with local government was only reinforced. Only 18% of the electorate turned out in the 1978 district elections. (Haynes, 1991)

The 1979 uprising of junior officers began to put in place a new structure of mass mobilisation, and this was consolidated and extended when, following a brief democratic interlude, the Provisional National Defence Committee (PNDC) came to power on 31 December 1981. Following dissolution of the district councils which had been elected in

1978, the PNDC formed People's Defence Committees (PDCs) to act as vigilante organisations against corruption and profiteering. These also became involved in community development. District Secretaries were appointed in 1983, and these were responsible for nominating management committees to replace the formerly elected councillors. The PDCs were subsequently transformed into Committees for the Defence of the Revolution (CDRs), whose main functions were community development, information dissemination, education and arbitration in inter-community disputes (Ibid). The aims at this stage were to legitimise a regime sorely in need of an alternative power base, and to compensate for its impoverishment and lack of resources for development. The PNDC's pamphlet *'Decentralization in Ghana'* (1983) stated that the purposes of decentralisation were:

- To increase initiative and development at the sub-national level;
- To reduce the urban/rural divide;
- To end the drift away from the countryside. (Haynes, 1991:289)

Notably, however, the intention was only to decentralise administrative - not political - authority (Haynes, 1991; Amanor and Annan, 1999). No political roles were accorded to the local level, and the PNDC ensured that no local political opposition was permitted to emerge.

With the return to civilian rule and democratic government at national level in 1992, the District Assembly system was retained. Also retained was the prohibition on involvement of national political parties in district level elections. These were to be held on a purely local basis, with candidates standing as individuals without any party affiliations

Structure of decentralised local government

In 1987, the government announced a new programme intended to decentralise and democratise the administrative structure. Section Six of PNDC Law 207 gave both legislative and executive functions to a new institution of district assemblies, which were to replace the former PDCs.

The central features of this section of the Law included (Ayee, 1996):

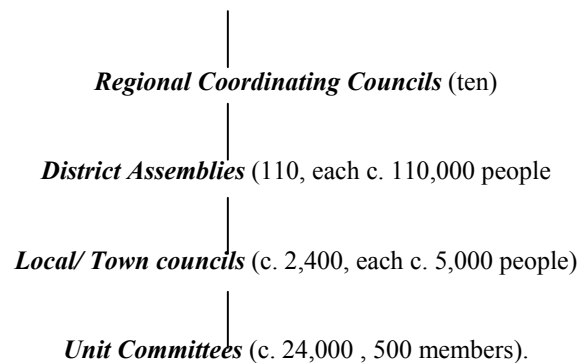
- An increase in the number of districts from 65 to 110 (with 107 District Assemblies and 3 major Metropolitan Assemblies);
- First-past-the-post elections to be held in late 1998/early 1999 for two-thirds elective membership, at the start of a four-year electoral cycle;
- Nomination of the remaining one-third (by the PNDC, after consulting with the traditional authorities and other district-level interest groups);
- The deconcentration of government departments to district authority;
- Creation of District Development, Planning and Budgeting Units, and District Planning and Budgeting Officers';
- The ceding of certain revenue sources to the district assembly level, and certain other financial transfers from the central government, on a delegated basis;
- Some degree of decentralisation of contracts and tenders.

Crook and Manor characterise the Ghana model of decentralisation as of a ‘mixed’ or ‘fused’ type – ie. the district assemblies were conceived as forming part of a “single, integrated hierarchy of government administration from local to national levels.” (1998: 207) They represent an amalgam of the traditional district administration, under the authority of the central government, with a more genuinely devolved local government, with its own democratic controls, services, and tax-raising powers.

The overall structure is as follows:

STRUCTURE OF LOCAL GOVERNMENT IN GHANA, FROM 1988 (Haynes, 1991, 292)

Supreme Body (initially, PNDC)



Each District Assembly was headed by a District Secretary (later named District Chief Executive), to be appointed by the President. From 1992, a requirement of approval of any presidential nominee by two thirds of the Assembly was also introduced. By the same token, a two-thirds majority would be needed for a vote of no confidence. The DCE is assisted by a career civil servant, the District Administrative Officer (later, District Coordinating Director. However, the day to day administration of the district was - and still remains - in the hands of an elected Executive Committee, comprising not more than one-third of the total elected Assembly, which are responsible for its executive and coordinating functions. (Crook and Manor, 1998, 234)

Thus ‘accountable’ to the Assembly, the DCE is responsible for the supervision of the executive departments of the district, as well as the executive committee and various subcommittees. Assembly meetings are, however, presided over by an elected Presiding Member.

The District Assembly was primarily conceived as a district planning authority (Botchie, 2000, 25), to be responsible for:

- Comprehensive economic, social and spatial development plans;

- Integrating sector plans;
- Mobilising the resources of the district and protecting its environment;
- Promoting social development and productive activities;
- Provision of municipal works and services and developing basic infrastructure.

The 1993 Local Government Act organised all 22 sectors, which had been devolved to the local level, into 12 departments incorporated under the unitary authority of the Assembly. (Crook and Manor, 1998, 205)

District Assemblies have a number of statutory environmental functions (particularly brown issues such as sanitation, water and pollution). There is presently no requirement for Assemblies to convene environmental sub-committees. Only five sub-committees are statutory at Assembly level. These are for Development planning, Works, Social Services, Justice and Security, and Finance and Administration (Local Government Act 462, Para 24). However, DAs are at liberty to create other specialist sub-committees, and District Environmental Sub-committees (DESCs) are among the most common.

Like the DAs, the Unit Committees comprise elected and appointed members in the ratio 2:1 (ten elected, and five appointed). The Assembly members are ex-officio members of the Unit Committees in their respective areas, and act as an important link between the two levels. (Botchie, 2000, 41) Only since 1997-8, has this lower-level structure been close to fully operational, with the holding of many of the Unit Committee elections.

Problems with implementation

This research report will examine the implementation of decentralisation in the districts of the study, with particular references to its environmental consequences. Here, we review the literature on Ghana's decentralisation in more general terms, identifying the main constraints on its implementation to date.

A number of studies exist on this theme, of which the major for our purposes are: Haynes (1991); Ayee (1996); Mohan (1996); Crook and Manor, 1998; Amanor and Annan (1999); and Botchie (2000).

Amanor and Annan identify a number of areas in which major problems have arisen, of which three merit particular mention:

- i. Problems in integrating decentralised departments into district assembly structures and decision-making processes;
 - ii. Lack of skilled personnel;
 - iii. Lack of a sound financial base;
- i. Problems of integration.*

From the start, the district assemblies have suffered from the failure of the central government to fully implement its decentralisation policies, in both their administrative and fiscal aspects. 22 departments were intended to be decentralised. Only the Forestry Department (now the Ghana Forest Service) was to retain its national status, albeit only in the southern regions, in recognition of the strategic importance of its moist forests to the economy. However, the staff of the departments which were decentralised still depend on their national ministries for budgets, salaries, promotion and conditions of service, and their loyalties were thus divided between Accra and the district. In a partial attempt to rectify this problem of divided loyalties, budgets are to be devolved to district level, and placed under the control of the Assembly. However, while the Local Government Act was passed into law in 1993, the associated Local Government Services Bill has still not been enacted.

Plans for the election of all members of the District Assembly, and for the appointment of the District Chief Executives to be fully subordinated to the will of the Assembly, also remain on the drawing board.

ii. ***Lack of skilled personnel***

A further problem which has arisen concerns the administrative capacity at the district level. While the national appointees to district-level posts (particularly the District Coordinating Officer) retain their national status, under the auspices of the Civil Service Commission, there is no equivalent national service at district level, and thus district staff are limited in their ambitions and career prospects. There have been calls for the creation of a national-level 'Local Government Service', with district cadres able to circulate in all 110 districts, but as yet, this has not materialised. One consequence of this is an extreme shortage of qualified technical staff to serve the district assemblies. The following table summarises the situation as of 1997 as regards the primary district function (development planning) on a national basis (Botchie, 2000:37):

N ^o of district planning officers per district	N ^o of districts reporting	Percentage
4	2	1.8
3	2	1.8
2	41	37.3
1	48	43.6
0	17	15.5
Totals:	110	100

Source: MLGRD (HR Division) records, 1997.

The Brong-Ahafo Region is among the better endowed, as illustrated by the following figures:

Brong-Ahafo Region	N ^o of Districts in the region	N ^o of district planning officers per district	N ^o of districts reporting
	13	4	1
		3	1
		2	5
		1	5
		0	2
Total N ^o planning officers			

(13 districts) = 22

By contrast, the Upper East Region, with six districts, has only two planning officers in all. Even the well-placed Central Region, with 12 districts, has only 12 planning officers, with four of its districts having no one at post at all. Consideration needs also to be given to retention of staff. For example, in 2000, the Ashanti Region lost a quarter of its planning officers (9 out of a total of about 34), mostly, it is said, to NGOs able to pay much higher salaries than the state.

Low technical capacity within the district-level civil service is compounded by low capacity within the elected assemblies. Though the local elites are disproportionately represented, elected assembly members often have relatively little formal education, and are easily intimidated by the appointees and professional staff. Local participation is therefore low, and planning has only limited relevance to local needs. (Amanor and Annan, 1999, 13)

iii. Lack of a sound financial base

Districts have five primary sources of revenue (Botchie, 2000, 31-2):

- a) *Central government transfers*, the main of which are the salaries of centrally paid DA staff, and the ‘District Assembly Common Fund’ (DACF). This is calculated on a revenue formula based on a combination of an agreed minimum payment to all districts, supplemented by a population factor and a development status factor relating to access to public services in the principle town, with an additional ‘responsiveness’ component to motivate the districts to increase their local revenue generation. The DACF is fixed, under the Constitution, as not less than 5% of total revenues of the state.
- b) Ceded revenues, being the total of revenues collected by the Internal Revenue Service on behalf of the DAs (as a share of taxes on income, ceded revenue comprised only 1.5% in the period 1993-5).
- c) Traditional district level revenues such as the basic rate (poll tax), property taxes, and others, to be fixed by the Assembly itself, as well as licences (alcohol sales, hawkers, etc.) and fees such as market tolls and crop levies (for exports across the district boundary).
- d) External assistance from donor agencies, including NGOs; these are mostly for development projects in areas such as health, education, water and sanitation, poverty reduction, and agriculture and micro-projects.
- e) Other locally-generated revenues, such as (where applicable) mining and timber royalties.

Expenditure of the DACF is controlled by the central government, currently being allocated as follows:

Allocation:	Percentage
‘Development’ (education, health, agriculture)	50
Sanitation vehicle purchase	5
Capacity building	2
Rural electrification	3
Poverty alleviation	20
Self-help projects	10
Housing	5
Disaster management	5

[all after deduction of 10% reserve]

As this table indicates, education, health and agriculture are regarded as the ‘main stakeholders’ of decentralisation; these have generally been the most reluctant to decentralise. Locally-generated revenues can be dispensed as the district wishes, subject to operation of its democratic procedures.

The DACF is the major fund available to most districts. The amounts allocated to the districts vary considerably from year to year (with 2000 being a particularly difficult year), as the following table indicates:

DISTRICT ASSEMBLIES COMMON FUND

Districts Allocations (1994-2000)

(in millions of cedis, rounded to nearest ‘00,000)

Region:	1994	1995	1996	1997	1998	1999	2000
Western	3,500	5,300	9,500	12,900	12,400	14,100	4,800
Central	3,700	5,700	7,600	9,100	13,000	15,000	5,000
Greater Accra	3,600	5,500	7,800	9,300	10,300	12,600	3,600
Eastern	4,900	7,400	9,600	11,300	15,600	16,800	6,000
Volta	3,700	5,600	6,900	7,800	11,400	12,600	4,300
Brong-Ahafo	3,700	5,700	7,800	9,300	12,600	13,800	4,900
Ashanti	6,400	9,800	14,100	16,600	21,700	24,300	8,300
Northern	3,300	5,000	7,300	9,000	13,000	16,300	6,000
Upper West	2,000	2,600	3,700	4,200	6,000	7,000	2,700
Upper East	1,700	2,600	3,700	4,200	5,900	7,000	2,700

Most district assemblies are seriously constrained financially. This relates to two main problems. Firstly, there is a problem of inadequate funding; the district allocations are generally insufficient to the tasks in hand, on top of which there is no guarantee that the sums in question will actually be received into the district accounts. And secondly, Assembly members are often reluctant to exploit to the full their local revenue generating powers. The problems here are largely political. Writing of their case studies in two districts (East Akim and Mamprusi) in the early 1990s, Crook and Manor see the dilemma thus:

“The principle of community-based self-help did not fit easily with the institution of representative district government, in so far as it undermined the legitimacy of district taxation and raised irreconcilable differences in the procedure for allocating very limited resources. ... elected members found it hard to justify the legitimacy of district taxation when their only argument was that the community would receive a direct return on its contribution.

For most members, this implied link could never be demonstrated....” (1998,266)

Summing up Ghana’s experience, Crook and Manor identify a number of problems which have to be addressed in any situation of decentralisation. Firstly, that accountability to elected officers can only work where autonomy is granted in the management of resources. Secondly, that the need to ensure effective management, and also to contain its costs, require that central government should be modest in its ambitions for decentralisation. In the Ghana case, these authors

argue, the reforms are probably much too radical. This is the case both in terms of the number of sectors to be coordinated, and the numbers of assemblies created for the purpose. (1998, 269-270)