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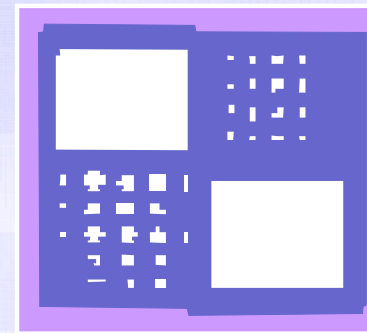
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KRONTI NE AKWAMU SERIES

NO.10

The Paradox of Voice without Accountability in Ghana



Prof. Kwame Karikari

The Ghana Center for Democratic Development (CDD-Ghana) is an independent, non-governmental and non-profit research and advocacy institute dedicated to the promotion of democracy, good governance and economic openness in Ghana and throughout Africa. CDD-Ghana's research outputs and other services are available to and used by governmental and non-governmental agencies, Africa regional bodies, development partners as well as researchers and the general public.

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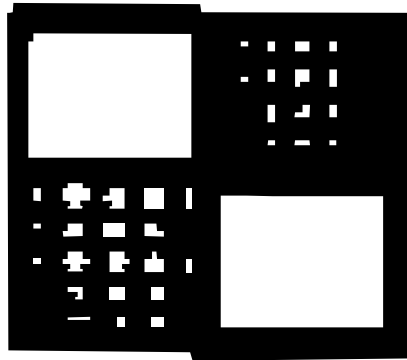
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THE "KRONTI NE AKWAMU" SYMBOL



'Kronti ne Akwamu' is the adinkra symbol for democracy, duality of the essence of life, compositeness and complementarity. It encapsulates a system of governance with decentralized political authority and different branches of government that complement each other.

**ABOUT THE CDD-GHANA ANNUAL *KRONTI NE AKWAMU*
(DEMOCRACY AND GOVERNANCE) LECTURE**

The *Kronti ne Akwamu* (that is Democracy and Good Governance) Lecture is the Center's flagship annual public lecture on democracy and governance. It is one of the Center's initiatives aimed towards bridging the gap between reflection, research and analysis on one hand, and pro-democracy and good governance advocacy on the other. It is aimed, therefore, at enriching the quality of public discourse on democratic and governance reforms.

The lectures feature prominent scholars and/or activists of local and international repute whose work focus on democracy building and fostering good governance. Speakers are invited to share knowledge and insights on these issues, in the hope of stimulating vibrant public debate.

The lectures have been dubbed '*Kronti ne Akwamu*' after the Akan *adinkra* symbol that best represents democracy, duality of the essence of life, and interdependence. The symbol encapsulates a system of decentralized political authority with different branches of government complementing and also checking each other.

The maiden lecture was delivered in March 2005. It featured an internationally renowned scholar and activist of democratic development - Prof Larry Diamond, a senior fellow of the Hoover Institution at Stanford University (USA). He spoke on the topic: "Democracy and Development – A Case for Mutual Dependency". The then Chief Justice of Ghana, His Lordship Justice George Kingsley Acquah was the chairman for that occasion.

The second *Kronti ne Akwamu* lecture was delivered by the distinguished Ghanaian lawyer, statesman and former Speaker of the Parliament of Ghana, the late Rt. Hon Peter Ala Adjetey. He spoke on the topic "Reflections on the Effectiveness of the Parliament of the Fourth Republic of Ghana". The distinguished chairman of that event was The Very Reverend Professor S. K. Adjepong, Chairman of the National African

Peer Review Mechanism Governing Council.

The third *Kronti ne Akwamu* lecture, the Golden Jubilee edition, was delivered by Professor Richard Joseph, a distinguished political scientist, former head of the Program of African Studies at the Northwestern University (USA), and former head of Africa programs at the Carter Center on the topic: "Ghana and Democratic Development in Africa: Back to the Future". That lecture event was chaired by the Hon. J. H. Mensah, MP for Sunyani, then Chairman of the National Development Planning Commission.

The fourth *Kronti ne Akwamu* lecture was delivered by Dr. K.Y. Amoako, former Under-Secretary General of the United Nations and founder and President of the African Center for Economic Transformation on the topic "The Future of Civil Society in Democratic Governance and Development in Africa". The chairperson was Mrs. Mary Chinery Hesse, chief advisor to former President, John Agyekum Kufuor.

The fifth lecture was organised in partnership with KPMG-Ghana and was delivered by Dr. Kwadwo Afari-Gyan, Chairman of the Electoral Commission on the topic: "The Challenges to Conducting Free and Fair Elections in Emerging African Democracies: The Case of Ghana". It was chaired by Justice VCRAC Crabbe, Statute Law Revision Commissioner, Ministry of Justice.

The sixth lecture was delivered by Dr. Jendayi Frazer, a former United States Assistant Secretary of State for African Affairs and a distinguished service professor at Carnegie Mellon University, USA. She spoke on the topic "Enhancing the Conflict Prevention Role of Elections in Africa". It was chaired by Bishop Palmer Buckle, Catholic Metropolitan Archbishop of the Accra Diocese.

The seventh lecture was on the topic: "Democratization and Women in Africa – Progress, Stagnation or Retreat". It was delivered by Bisi Adeleye-Fayemi, Executive Director of the Africa Women Development Fund,

(AWDF) and chaired by Justice Vida Akoto-Bamfo of the Supreme Court of Ghana.

The eighth lecture was on the topic: "The Quest for Governmental Accountability and Responsiveness in Ghana: Achievements, Challenges and the Way Forward". It was delivered by Justice (Rtd) Emile Short and chaired by Rev. Dr. Joyce Aryee, Former CEO, Ghana Chamber of Mines.

The ninth lecture was on the topic "Democratic Governance in Ghana: How Political Polarization May be Abated". It was delivered by Justice VCRAC Crabbe, and chaired by Elizabeth Joyce Villars, Board Chairman of Camelot Ghana Limited.

As indicated earlier this evening's lecture will be the 10th in the series.

Since inception, all the *Kronti ne Akwamu* lectures have been held at the British Council Auditorium. We are grateful to the management of the British Council for their cooperation. I am pleased to report that the texts of all the previous lectures have been published and disseminated.

I wish to place on record our profound gratitude to the following organizations for their generous sponsorship of this lecture: the Friedrich Naumann Foundation (FNF), KPMG Ghana, Joy News on Multi TV, Radio XYZ, Unique Expressions and Voltic Mineral Water.

We owe similar gratitude to all of you, distinguished participants, for honoring us with your presence. Thank you.

Ambassador Francis Tsegah,
Senior Research Fellow,CDD-Ghana

April, 2014
Accra

Introduction

For twenty years now, we have worked hard, as a people, to manage our national life within the framework of liberal democratic principles and institutions. We have made, as a people, remarkable progress in trying to build a culture of governance based on the ideals of these principles. This is especially so with regard to building a culture in which government has no power to use force or make inimical laws to prevent any citizen from expressing openly and publicly their viewpoints about how public life and national resources are managed, and by whom.

The Nobel laureate, Amartya Sen, has argued that political and civil rights are among the fundamental conditions for socio-economic development. According to him, "Political and civil rights give people the opportunity to draw attention forcefully to general needs, and to demand appropriate public action. Governmental response to the acute suffering of people often depends on the pressure that is put on government, and this is where the exercise of political rights (voting, criticizing, protesting and so on) can make a real difference. This is a part of the 'instrumental' role of democracy and political freedoms. ... to express publicly what we value and to demand that attention be paid it, we need free speech and democratic choice".¹

It is not enough to have and exercise the right to express the needs we believe and know can be provided by society. What is equally important is that citizens are able to exercise this right in the formulation of plans, and

in participating in the processes, to resolve whatever problems confront them. In other words, in a democracy, government cannot and should not be seen as a “Father Christmas” who delivers everything. Citizens must be involved in finding solutions to their problems and challenges. Critically, it is to be emphasized that, “In a democracy people tend to get what they demand, and more crucially, do not typically get what they do not demand.”

In Ghana, principally because of the constitutional guarantees of freedom of expression – of political and civil rights – the citizens do not tire exercising these rights. The question is, after two decades of practicing a liberal constitutional democratic order, in which the people can genuinely exercise their freedom of speech and expression,

- i. How far does the exercising of the right to freedom of expression influence change, reforms, in relation to the citizens’ “needs” or demands; and
- ii. What are the sources and forces that pose threats to weakening the exercising of the freedom of expression? Or, what are the things that are putting a chill on freedom of expression today?

The right of freedom of expression is both an end in itself, and an instrumental right. In that, citizens exercise that right as an intrinsic part of the normal life of human beings. It is essential for the human creative process and for the functioning and maintenance of the human social community.

P.A.V. Ansah put it succinctly when he defined its ‘instrumental’ purpose thus, “Though freedom of expression and of the press can rightly be considered the mother of all freedoms, it can’t be pursued alone as an end in itself. It must be fought for as part of the struggle to secure the other rights”.²

Yes, in Ghana, the people can, directly or through both traditional and the ever-growing new communication technologies, speak their minds. We can have our say about government and the ways in which government manages or mismanages our affairs. But, when we have our say, when we freely express our views about important, critical questions concerning national public life and welfare, do our voices get things righted? Do the free voices of the people bring about change in those needs and conditions that people cry about? In short, what does the freedom of expression that we say we enjoy mean in influencing reforms or change in critical national public concerns?

The thesis is this: citizens have been exercising their right of free speech, as well as media freedom, using their free voices to make demands for reforms in a number of key aspects of national life. These have included public demonstrations and protests, press conferences, and other legitimate acts of self-expression. Many developments over the two decades of this liberal democratic governance system also suggest that, the people's exercise of the freedom of expression is threatened to be depleted, or denuded of any substance as far as its influence in promoting reforms in national life is concerned. Freedom of expression is threatened to be emptied of its essence as a right to right wrongs. Many developments in public life and practices by state structures and their representatives suggest that freedom of expression could be devalued into a sterile concept with no relevance for promoting improvements in the real material lives of citizens.

This presentation is to raise discussion about whether, in its "instrumental" purposes, freedom of expression in Ghana influences reforms or change in selected critical national concerns. The discussion also raises concern about some of the important ways and means by which various agencies in the public sphere attempt to silence or mute or drown out voices that seek to raise differing or contrary questions about critical public affairs.

Before we continue two words of caution: first, we do not propose that government must jump up and act on any noises that any section of the public may make on anything, however loudly, simply because such voices manifest freedom of expression. Second, it is to be reiterated that the right of freedom of expression is not only an instrumental means of enhancing other rights. It is, in itself and for itself, a right to be lived. Like all other rights too, it has its boundaries – the rights of others.

The issues

As indicated, the presentation will take a few cases of real life national issues of concern as a test on how the people's expression of their free voices has or has not enhanced their progress. It will also look at institutions of communication and how their activities affect the strengthening or otherwise of freedom of expression in the Fourth Republic. If the presentation tends to focus on current developments, it is because they are fresh in our minds, affect us today and are immediately relevant, and also because they remind us that the ghosts of those despicable past experiences that informed the ideals and hopes of the Fourth Republic still haunt us. The key issues selected for our discussion today are:

- i. The Right to Information
- ii. Government's management of Information
- iii. The media
- iv. The struggles for social justice in mining communities
- v. The development of the North, or as a JOY FM news headline put it, "the Sad Saga of SADA"

- vi. There will be references to a few other institutions, such as chieftaincy, where necessary as additional illustration of the issue before us

1. Right to information

Accountability, by any interpretation or standard, “implies answerability”. Answerability implies “the obligation to provide information and explanation” by the appropriate public authority. It implies enforcement, which means “a capacity to hold those who are responsible to account for their actions, including punishment”. But without transparency there can be no meaningful accountability. Accountability “involves the right to ask questions and expect reasonable answers”.

Thus, accountability and transparency are “underpinned by freedom of expression, which is likewise closely related to freedom of information,” or as Article 21 (i) (f) of the Constitution put it, the Right to Information.

By their attitudes to the passage of a democratic Right to Information legislation, it is not an exaggeration to say that our political parties have not exhibited commitment to institutionalizing the Right to Information, one important instrument that could assist citizens in exacting accountability. It took nearly a decade after the Constitution came into force for a government (Kufuor’s administration) to draft a bill. The bill arguably portends severe constraints on the right to access information held by government and public institutions. Even then it took five more years before being placed on Parliament’s agenda.

That it got to Parliament is the result of the 13 years long of tenacious work by the Right To Information Coalition. This is one of the more vocal and active civil society groups in the country. And if the fate of a democratic right to information legislation is so unpredictable, one can imagine the

fate of so many issues crying for reform but that do not have such advocates and spokespersons.

2. Government's management of information

In a study of government information management, (my colleague) Dr. Margaret Amoakohene concludes that, "Ineffective management and dissemination of information has been the bane of governments since colonial times." [Information Management: the Nemesis of Ghanaian Governments', Ghana Social Science Journal, Vol. 8, Nos. 1 &2, 2011, pp. 150-173] Two case studies focusing on recent events and how they were managed by government communication machinery during the administration of President Attah Mills led her to observe that, information management "exposed internal lack of coordination, consistency and cohesion in government communication." Amoakohene's study also shows that,

- i. Since independence, of all the ministerial reshuffles undertaken by the 13 political regimes, the Minister of Information portfolio has been the target of most reshuffles;
- ii. Since independence, there were only four regimes under which there were no change of the Minister of Information: under Busia's Progress Party, the first NDC administration under Rawlings, and under the two short-lived military juntas – the second Supreme Military Council and the Armed Forces Revolutionary Council;
- iii. The shortest and longest tenure of Ministers of Information occurred under the PNDC regime and the first NDC administration – Mr. Adali Mortey served one month and was sacked, and Mr. Totobi Kwakye served altogether nine years, four and a half years each under the PNDC and under NDC No. 1;

- iv. The most number of reshuffles of the Minister of Information position took place six times under each of four regimes: Kwame Nkrumah's CPP, the National Redemption Council/Supreme Military Council, the PNDC and the NPP. Most other had three each.

The Ministry of Information has probably also seen more name changes than any other ministry since it was created in 1957: Ministry of Information and Culture; Ministry of Information and Tourism; Ministry of Communications; of Media Relations; Information and National Orientation, and now Ministry of Information and Media Relations.

Amoakohene's study found a government communication machinery that had no "coordinating centre" for effective communication of government information. Critically, the Mills and, to some extent, Mahama's administrations have shown "a communication gap between members of the government information apparatus at the Presidency and those at the Ministry of Information, as the flow of information appears inhibited. It projects the system as one which lacks organization, planning and preparation before information is disseminated, thereby unmasking message inconsistencies and contradictions".

There could be many possible explanations for this "dissonance" in government communication in the Mills/Mahama, and to some extent the Kufuor, administrations. The idea of , or the presumed need for, a structure at the office of the head of government or the presidency, originated under the PNDC with the establishment of the Castle Bureau of Information. As a parallel outfit to the MoI, its principal activity seemed to involve a media relations remit driven by a need to promote and protect a certain image of the Chairman of the PNDC and his government. The appearance

of a semblance of cohesiveness in government communication at the time may be explained by the reality that, under authoritarian regimes such as the PNDC was, government communication is commandist and one-directional. Because of the absence of freedom of expression in an authoritarian state, citizens did not participate in discussing publicly national affairs and could not raise questions about government plans and actions. Government too owed no obligation to communicate with citizens beyond issuing out its information.

Coordinating parallel structures of information management in a democratic context, where government information management is obliged to be open and responsive to public voices, thus becomes more difficult. It is compounded by the need for parties in power to find jobs for operatives, and the propaganda machinery can always make use of many idle hands. In addition, the confusion reflects an inability or undesirability of ruling parties in new democracies emerging out of authoritarian political cultures to make clear distinctions between party propaganda and government information management. This may therefore explain why the NPP, which had proposed abolishing the MoI (in my view correctly), in office would maintain it and make it function in the same old mould of authoritarian communication.

Even then, government information management in the Fourth Republic has generally had strong tendencies toward the one-way command communication characteristic of the days of one-party or military authoritarian systems of government. The tendency has been to use the MoI and the communications office in the Presidency as watchdogs ready to bark to smother critical questioning or opposing views. It involves significant investment in activities aimed at combating “dissenting”, contrary or critical voices. The object appears always to silence the other

voice. This is why, most of the time, when operatives from these structures are responding to voices raising critical or unwanted questions about the governments they serve, they must sound so shrill, unnecessarily polemical, combative, indeed hostile and intimidating. It is rare to receive a sober explanation of things. To apologize, even in the most blatant situation of government blunder, is, for such a system of government communication an insane proposition.

There are many indications that government communication is informed by fear that informing the people truthfully about actual difficulties in managing national issues such as economic challenges is dangerous for national security. Some three weeks ago, on March 29, 2014, the Minister for Information and Media Relations, Mahama Ayariga, expressed this fallacy in the media when he chided Minister for Finance, Seth Tekper for publicly acknowledging what every citizen knows, from real life, that there were difficulties in the management of the national economy.

“I have consistently had problems with the Finance Minister on this issue. I must say it on this platform because he has insisted on, ‘look if you want Ghanaians to help you solve problems, you would have to state it’. You have to manage your statement because, if you don’t manage your statement very well it may be the one that will trigger a certain behavior and that is the problem I have now”. [Myjoyonline, March 29, 2014]

This attitude promotes hiding information from the public, even when that information is obvious to the public. It encourages putting out inaccurate or untruthful information, and perpetrates a culture of lying in public life. It is the same attitude to communication that interprets media exposure of concealed information as fomenting “regime change”.

There may therefore arise now and again, poor coordination of information management between the Ministry of Information and the Office of the Presidential Communication. What is certain is that, in a culture of communication with an aversion to openness, there is never a gap in the unity of purpose in conceiving as hostile voices from quarters perceived to be oppositional or belonging to the “other side”.

In the Fourth Republic, ruling parties have shown remarkable ingenuity in responding to the new conditions of plurality of voices. The formal official agencies of government information are augmented by a phalanx of agencies in civil society, in the form of:

- i. the party affiliated radio station or newspaper, even though the traditional party newspaper is virtually a dead phenomenon;
- ii. the ‘rented press’, including hatchet columnists, and
- iii. the army of ‘serial callers’

Together, these agencies for propagating government information make up what Lawyer Egbert Faibille called a horde of “Rottweilers”. When unleashed, they produce the desired effect of frightening back into their shells of silence any citizen who believe they have a say, however sensible, about government affairs from points of view that are contrary to that of the government’s.

In Ghana today government cannot make laws to take away citizens’ rights to freedom of expression. But nothing stops government from paying, out of my and your taxes, hordes of men and women whose job it is, seemingly utilizing their right to free speech, to smother, shout down, or silence my and your voice.

3. The media

Any meaningful assessment of our media and their contribution to opening up the space for freedom of expression and for democracy generally in the country, ought to acknowledge the heroic work of many men and women journalists and media proprietors who risked their personal freedoms to breach the “culture of silence” that characterized governance in our country prior to the Fourth Republic. We can recall the work and travails of the Tommy Thompsons, the George Naykenes, the Kabrals, the Kweku Baakos, Haruna Attahs, the Kofi Coomsons and many others. We may recall also the ‘Tarzan’ methods of Charles Wereko Brobbey and co that helped open up the airwaves.

It should also be self-evident that, more than any other institution, it is the work of the media that has resulted in any level of transparency and or acts of accountability with regard to state and public institutions. The media have collectively acted as whistleblowers and advocates for transparency and accountability in public and national life. In recent months, we have witnessed how a combination of good journalism and dogged investigation has exposed blatant acts of un-patriotism parading in the garb of corruption – namely the conspiracy to destroy socio-economic development programmes such as GYEEDA and SADA. The media have, without doubt, generally pursued their watchdog role with respectable commitment, whether it is about corruption or about the conduct of national elections.

But there are factors that threaten to weaken or undermine the media’s freedom and independence. In addressing this question, we should look at some of the things the media do themselves that weaken their freedom and debase citizens’ right to free expression; and some of the factors external to the media that contribute to these threats.

'Kwasea bi nti'

The first has to do with what I would like to call, with apologies to “General Mosquito”, the ‘Kwasea bi nti’ problem. This is the discrete threats to press freedom by the spate of libel suits and the resultant high compensatory damages imposed by the courts. For example, in recent months, the Daily Graphic has been found liable to pay GH¢100,000; and the Daily Guide GH¢300,000, and the GH¢250,000 respectively. The two sides to this issue are these. In the first place, the problem comes about by the recklessness of the media, by which they abandon basic ethical and professional norms, most of the time driven by partisan-political motives. The resultant huge compensations which are imposed on them weaken the media’s sustainability in a tough market, particularly for print media and undermine their resolve to be independent. In the second instance, the majority of libel cases are filed by politicians. In nearly all cases, such as the last three referred to, the politicians have gone to court, ignoring – as if in disdain – the complaints settlement mechanism of the National Media Commission. It is tempting to conclude that, by spiting the constitutional option, the politicians are fishing more for cash than are looking to redeem some image. In so many ways, however, the media also contribute to compelling people to look for the press freedom-threatening option of going to court. Many media houses disrespect and ignore the NMC’s summons for complaints settlement. This means that, as they hound officials for accountability, the media themselves fear and shun accountability to the public.

State security

Another factor that gnaws at media freedom is the clandestine interference in media work by state security. Stories of security operatives, in this day and age, exerting pressure on editors about articles published or the work of particular columnists or radio programme panelists, are not ordinary

rumours. The security is reported to scan social media platforms for the simple purpose of finding out who is insulting the president, his wife or close associates. In some cases pressure may be brought on employers of unsuspecting citizens making critical or “insulting” comments on actions or utterances of people in authority. This is a source of inducing self-censorship among citizens and within, especially, the state media. Because the act is clandestine and its victims fear losing their jobs, or because of pressure from relatives due to fear of state security, it becomes a sort of blackmail preventing the victims from speaking out. If you raise it, privy to such information as I am doing now, you risk being accused of making false allegations against national security. In days gone by, if you had the guts to speak out about them, you would be lucky if you were hauled into some BNI dungeon.

‘Rented Press’

It is the ‘Rented Press’ that, by their very character, play the role of enforcing self-censorship among citizens by their acts of disinformation, obfuscation, diversion and verbal thuggery. There are two categories of the ‘rented press’. The first are the newspapers set up by people with political interests. This is a very lucrative business for the front proprietors. What we know from elsewhere, is that such bogus media operations are usually very useful façade for activities such as money laundering and other financial crimes – on top of the political damage business.

The other category of the ‘rented press’ is made of a coterie of ‘freelance’ mercenary journalists. They are hired as and when individual citizens or groups make utterances unpalatable to their masters. Then they rush in to hurl abuse, all the stinking mud there can be mobilized, at those individuals

or groups who are simply expressing viewpoints that happen to be unpopular with their paymasters.

'Serial callers' were initially individuals who made regular calls into radio talk shows. These were people who were motivated by their democratic responsibilities to participate in public discussions. Soon, political parties found in radio an opportunity to mobilize and pay for their own networks of 'serial callers' whom they used to specifically play the function of hounding opponents. Their status was later changed into the respectable-sounding title of "party communications" staff.

Cumulatively, all these acts of media misuse and intimidation undermine public trust in the media, the independence of journalists, debase public discourse and discourage people from getting involved in the discussion of public affairs. In the end, they add to the devaluing of freedom of expression.

4. The struggles for social justice in mining communities

One of the important outcomes of the Structural Adjustment Programme (better still the neo-liberal economic policies) initiated under the PNDC in the 1980s, is the astronomical growth in foreign investments in the mining or extractive sector of the national economy. It is superfluous to say there has been a veritable boom in the mining business. The boom period covers two-decades of constitutional democracy with its promise of human rights protection and enhancement. Added to the oil and gas industry, the extractive industries together have attracted the most resounding response to the age-old clamour for foreign investment. The companies that invested in the sector have put a lot of smile on the faces of their shareholders.

According to the Minerals Commission [quoted in 'Performance of the Industry, 2012, World Bank] in 2012 the mining industry attracted US \$1,000 million in total investment inflows into the country. The sector was in 2012 the highest contributor of company tax, according to the Bank of Ghana. While the mining sector generally experienced so much growth in production and revenue, gold particularly showed the most consistent and uninterrupted growth from year to year between 1990 and 2012 when, due to a slump in world prices, the growth rates came down. The Bank of Ghana records that the contribution of the mining industry to the country's "total merchandise exports" earnings was about 43% in 2012. In that year too, according to the Ghana Revenue Authority, mining maintained its position as the leading contributor to domestic tax collection, accounting for about 27% of the GRA's total domestic collection. The company tax payments of businesses in the sector represented about 37% of total company tax payments to the GRA. The progressive annual increases in production and the general price increases that occurred in the last decade have, naturally, produced in turn hefty returns and profits to investors. Government revenues from the sector have been very good too.

How have the citizens in the communities where the mining goes on benefited from the bonanza? What have villagers in the mining communities gained from the boom?

According to the Wassa Association of Communities Affected by Mining (WACAM), "Ghana has been effective in attracting mining investment but we have failed to regulate the mining industry resulting in minimal benefits to the nation and increased negative effects."

The operations of mining companies, big and small-scale, have had devastating effects on many communities. As a result of the absence of

effective regulation mining operations have had devastating effect on the environment for many communities, with serious long-term consequences on natural resources nationwide. Numerous forests, farming lands, farms, rivers, wetlands, and other water bodies have been killed. Big rivers like Densu, Birim, Prah and others are all threatened with forced extinction. In the last two decades, these threats to the environment and rural people's livelihoods have been the cause of the most vocal demands for social justice from rural areas in a very long time. They have been calling for an end to processes of unregulated exploitation of resources that in the long run have negative effects on the environment and future economic health of the whole country.

In response to the many "negative effects" mining has had on the livelihoods, environment and social lives of citizens in the mining areas, the communities also initiated some of the most impact-making and active social justice and rights advocacy movements in rural areas in recent times. In many affected rural communities, as a result of the "damaging and devastating effects of mining practices such as surface mining", groups have been formed uniting chiefs, queen mothers, youths, women, working people and other residents to press for redress of the many acts of violation of their socio-economic rights. They have sent written petitions to appropriate state agencies. They have used the media to communicate their plight; they have held protests and demonstrations, and gone to court to demand justice.

In the face of popular demands to safeguard national and public interests, the state has not been deaf. The state security has been swift in dealing with any kind of protest by poor rural citizens standing up, especially to big international business. The response of state security to the legitimate demands by the communities has been, effectively, to consider the generally peaceful exercising of their freedom of expression as "trouble-making"

and to stand by the companies. Security forces have attacked, arrested, detained and, in a few cases, shot and killed or wounded community activists.

In their highhanded reactions to the demands for their rights and social justice, the state security agencies have often exposed an extremely frightening instinctive intolerance to two critical rights of freedom of expression: the right to protest in public and to hold demonstrations. The apparent paranoia of the security about protests and demonstrations is usually rationalized by the invocation of the need for 'peace' and 'stability'. "Peace" has thus become a bogey used to squelch democratic expression for making legitimate social justice demands. Once Rwanda, Liberia and Cote d'Ivoire are referred to, it is easy to raise the sympathies of other citizens outside the communities to the official line. He who insists on the right to demonstrate risks being marked as preaching "regime change".

The harassment of community residents and their human rights violations by security forces has sometimes been minimal. But it has not ceased completely. Government has responded also to these community protests in policy directions too. It's the stick and carrot strategy. Government is known to have improved some legislation and adopted and complied with some international instruments concerning some areas of mining industry's activities and obligations. The problem, however, is enforcement. Thus, in the absence of enforcement of these reforms or legislations purporting to improve conditions, the objective impression is that the exercise was conducted for the purpose of one or all of a number of communication effects:

- i. To placate on paper the voices of the community;
- ii. To please the demands of development partners or multilateral agencies;

- iii. Mark them, on paper, as achievements for election campaigns;
- iv. To use them in arguments against vocal “opposition” as proof of actions for reform.

At the end of the day, government can point to things on paper – in a party manifesto, policy document, or some kind of official statement – as proof that it responds to popular demands. It is a “caring government” it is “a government that listens”. So it can win arguments and party communicators can trumpet the paper “achievements” from radio station to radio station, by sms on mobile platforms, and online. The important thing is to win the next elections. In real life, at least for communities affected negatively by mining, things remain as they were. Mass communication takes the place of governance for social and economic reforms. All what the communities’ have at the end of the day is their right to lament the curse of living on top of gold and diamonds, to mourn those dead, to comfort those broken, or show sympathy for those imprisoned for the misfortune of exercising the freedom to demand social justice.

5. Women’s rights and gender equality

The women’s rights movement has been, if not the most, certainly one of the most vibrant, dynamic and well sustained civil society rights movements in the country. An important outcome of the work of the movement is that now people pay attention to issues raised on women’s concerns. But it appears to be just that – pay attention now, ignore later.

As a country, Ghana has signed on to relevant international protocols and agreements on women’s rights and gender equality. These include the Convention on All Forms of Discrimination Against Women (CEDAW) and the Beijing Platform for Action. At the Africa level there are the AU

Solemn Declaration on Gender Equality, and the Women's Protocol on African Human and Peoples' Rights. These instruments have been translated into national laws and policies. They are reflected in provisions of the 1992 Constitution. The women's rights movement has worked very hard over the years to put women's rights issues on the national agenda but to date, apart from the passing of some useful legislation such as the Domestic Violence Act (2007), there is no clear sense that the quest for democracy is being fostered on a gender-equal basis.

One clear example is evident in appointments of women to critical decision-making spaces. With the advent of oil and gas in the country, a number of laws are being passed on the management of this strategic natural resource. Some of the laws are the Petroleum Revenue Management Act and the Petroleum Commission Act. It is strange, indeed contemptuous of the work of the women's movement, that after so many years policy makers can still insert in policy documents phrases such as "one of whom should be a woman" on the institutions to be set up under those legal instruments.

Did all of the women's voices over the years fall on the deaf ears of policy makers and political leaders? Perhaps the women were too refined in their advocacy. Next time, they ought to learn how to "nag" the powers that be more loudly.

6. Chiefs, citizens and some rights issues

The Constitution of the country gives due recognition to the institution of chieftaincy. Indeed Parliament has no power to make any laws that undermine or interfere with the customary powers of any traditional authority in the appointment and recognition of any person as chief. The legislature has no power to make any law that "in any way detracts or derogates from the honour and dignity of chieftaincy".

However, nowhere in the Constitution are chiefs empowered to decide on where a citizen of Ghana may reside or travel to. But we have witnessed, since the Constitution came into force, disturbing examples of chiefs or the offices of chiefs and kings ordering the banishment from their fiefdoms citizens who are not indigenes of those traditional jurisdictions. In all the cases reported, the crime of the victims of arbitrary chiefly decrees is that they had expressed views on certain matters of public interest that differ from or are unpalatable to the chiefs and their elderly counsellors.

Now, on a regular basis chiefs and kings compete with the presidency for the front pages of newspapers for news of their travel programmes to seek investment from abroad for development. But as if they are immune to the demands for accountability, when they return there is little news of the success or otherwise of their trips, much less what they were able to garner. In the same way, the public rarely, if at all, receive periodic reports about the progress of the development schemes—such as the educational development funds – that chiefs initiate.

Meanwhile, most or indeed all chiefs would be hard pressed to give any progress report of the one critical rights reform the Constitution explicitly demands of them to make. Under Article 272 (c), chiefs are enjoined to “undertake an evaluation of traditional customs and usage with a view to eliminating those customs and usages that are outmoded and socially harmful.” Many of these customs and practices are violations of citizens’ rights, including prominently the freedom of expression and dignity of women. If anything is done at all to address these violations, such initiatives come, not from chiefs but, from foreign or local NGOs.

The claim by chiefs as custodians of the people’s ethnic cultures must be informed by a concomitant expansion of the rights of their people to free

expression, to build on and to enhance the modern development of those cultures. In that context, chiefs should be custodians – protectors – of the rights of every Ghanaian citizen wherever they live.

7. The sad saga of SADA

SADA, a national programme designed to bridge the development gap between the savanna (the Northern) and the forest (Southern) zones of the country, appears to have had a false start. Since its inception, no good news has come out about SADA. The name itself is gradually becoming synonymous with graft, corruption and cynicism. It seems to have been conceived in goodwill but delivered still-born. Yet, the idea behind SADA is the one development agenda that has always enjoyed consensus from all political tendencies and leaders. If there is one development agenda that easily elicit consensus among all political parties and leaders, policy makers and legislators it is the idea behind SADA, a special development plan for the North, bridging the development gap between the North and the South of the country. Therefore, it can be considered as an issue that enjoys broad public support. There should not be demonstrations and petitions to show that it represents the voice of the people of the North, a demand for “the right to development”.

SADA, the Savannah Accelerated Development Authority, was established by law gazetted on 24 September, in 2010 (Act 805). The primary object of the Authority is to “provide a framework for the comprehensive and long-term development of the Northern Savannah Ecological Zone (NSEZ)...”. This translates into three key objects, namely to:

- i. Provide strategic planning guidance to government as regards the implementation and review of an accelerated development strategy for the NSEZ;

- ii. Mobilize human, financial and other resources for the implementation of the development strategy for the North;
- iii. Co-ordinate existing and future development and related policies affecting the NSEZ , and to ensure coherence in policy-making and implementation

The Authority is governed by a 9-member board who are appointed by the President based on the persons' "integrity, knowledge, expertise and experience in matters relevant to the objects and functions of the Authority."

This presentation starts from the basis that, whatever the news about SADA, it is an initiative that every patriotic citizen ought to support. Let's remind each other that the idea of a development scheme is one thing the NPP and the NDC – both of whose sectarian and clannish politics polarize our peaceful country so much – are united on. (If they squabble on any aspect of it, you can be sure it would be a quarrel over who gets the spoils). Under this Fourth Republic, it was Kuffuor's NPP government that took the initial decisions to establish a special Northern development programme. It was however operationalised during the Mills NDC administration. We raise a discussion about SADA precisely and only because we believe it is a critical national development idea that must be supported. We therefore have a responsibility to ensure it is implemented with all the commitment, diligence and urgency that the people of the North, and of Ghana, deserve.

The cry for Northern development is nearly as old as when the entire region was annexed, as a protectorate, to Ashanti and the coastal regions by the British around 1902. However, systematic advocacy and planning for development received more concerted attention in the 1940s after the establishment of the Northern Territories Territorial Council in 1946, and

as the nationalist agitation for independence gained momentum. The 1948 Coussey Committee set up by the British government to make proposals for constitutional reforms following the violent anti-colonial agitation of 1948, recommended that “a forward and determined policy of economic, social and educational development should be undertaken by the Central Government in order to raise the standard of these people up to the average of the rest of the country. Anything less than that will give rise to suspicion and dissatisfaction”. (p. 198, A History of Education in Northern Ghana, 1907-1976, R. Bagulo Bening)

The debate for Northern development gained even more vigour when the region elected 19 representatives to the Legislative Assembly (Parliament) in 1951. One of the key concerns for narrowing the development gap between the two parts of the country was to promote national integration and cohesion, and engender a common national consciousness of the emerging independent nation. From about 1953, the central government under Kwame Nkrumah adopted special plans for the region’s development. Indeed, the concept “Accelerated Development” in reference to the North was coined at this time.

What makes Kwame Nkrumah an outstanding leader is not because he initiated all the good programmes his government undertook. He remains exceptional also because he adopted ideas and programmes others pronounced, in so far as they were good for the progress of his people. The idea of special development for the North had been mooted before he came on the scene by so many people, including some who were in opposition to his party and government. Indeed, many of the political leaders from the North who joined the CPP, such as Mumuni Bawumia, did so by leaving the Northern People’s Party in the conviction that Nkrumah’s government was committed to the development of the North.

Indeed, it is significant to note that the demands for the rapid development of the North were not some patronizing gesture from Southern politicians. The advocacy was driven and led strenuously by chiefs and political leaders and representatives from the region. Support for the schemes for the North was borne out of concern for all-round national development of Ghana. In political or socio-economic terms, it is all of Ghana that benefits from the development of the North, just as the development of any other region benefits the people of the whole country.

Until the efforts in the Fourth Republic, the more impact-making policy directed at Northern development was the Accelerated Development Plan for Education adopted in 1951 by Kwame Nkrumah's transitional government. Though the policy covered the whole Ghana, its impact on the North appears to have been more profound for the simple reason that the region was like starting from scratch – from near nothingness in terms of the extremely low level of educational facilities and physical infrastructure compared to Ashanti and the South. At the time, it should be noted, the political leaders and chiefs, through the Northern Territories Council, considered education to be the topmost priority development need.

When the Nkrumah government re-launched the Accelerated Development Plan for Education in 1959, it introduced some special measures specifically for the North. The first phase of the Plan had abolished school fees for every Ghanaian child at the primary level. Now, in the second phase, it abolished fees at middle school level for the North only. This was later extended to the secondary level. The justification for the special dispensations for the North lay in an affirmative action to repair an imbalance purposely and directly created by colonial policy and by the dynamics of the colonial economic structure and relations.

As observed by Prof. Jacob Songsore, “Northern Ghana fell a century behind the South in terms of educational development”.

“Soon after Britain occupied Northern Ghana, the area was designated by the colonial administration as a ‘labour reserve’ for the supply of cheap labour to the mines, cocoa farms, army and police. In that regard the area was vital for development of the more favourably endowed Southern Ghana as they were perceived from the point of view of metropolitan [that is colonial British] interests and needs”. (Jacob Songsore, *Regional Development in Ghana. The Theory and the Reality. New Edition, 2011, Accra, Woeli Publishing Services, p. 71*)

That the agenda for Northern development united all the forces of the nationalist movement is shown by a 1955 proposal, adopted by representatives of all the political parties and movements excluding the CPP, on how to allocate revenues from cocoa, the principal national revenue earner at the time. The signatories included men like J.B. Danquah, R. R. Amponsah, Bafour Osei Akoto, and from the North, men like S. D. Dombo, Mumuni Bawumia, J. A. Braimah and many others. These are the groups that later formed the United Party. According to the proposal, ‘Applying the principles of derivation and population in the division of revenue from cocoa, only the colony shall be entitled to 35%, Ashanti and Northern Territories 27.5% each and Togo 10% of such revenue”.

The statement explained that: “It is necessary to single out this paragraph because it has often been said that the Regions which produce much cocoa would wish to retain the Revenue from it for the benefit of those regions only, and to the detriment of those regions which produce very little or none at all”.

Today, serious discrepancies still remain between the NSZE region and the rest (South) of the country in terms of levels of socio-economic development. According to the SADA Business Plan, 2011-2015, for example, the region still lags behind the South; levels of poverty, infant mortality rates and doctor to patient (1:54,000) and nurse to patient (1:1000) ratios in say the Upper West Region. At the risk of sounding simplistic, the incessant flare-ups of communal violence between or among contending ethnic groups in the North could be explained by the generalized and deepening culture of poverty of the area.

Today's generation of chiefs, public servants, political leaders and representatives, and other members of the middle class from the North, are the direct beneficiaries of the struggles of the generation of the Bawumias, Asumda's, Dombos, Braimahs, Alhassanis and others for the development of the region, however limited it may have been.

One would have thought that leaders from the North in this particular NDC administration would take advantage of the national consensus to promote, more than anyone else, the development of the North as envisaged in the establishment of SADA. SADA is a national programme for all of Ghana. Its conception and structures for its actualization must be seen as such. Therefore, it is not in the interest of either the immediate beneficiaries – Northerners — or the country as a whole to design its governing structures to give the impression that only Northerners can “develop” the north.

The development of the North is a patriotic task. It should be every Ghanaian's concern to rescue SADA from failing, if it is – as it seems – going off the rails. It has become, as a matter of longstanding national

political consensus, the most enduring popular voice for the right to develop.

It ought to be the immediate and direct pressing duty of the citizens who live in or are indigenes of the area, to stand up and show special concern. It is their democratic duty to ensure government makes it work. For the mass of the people, this democratic right should not be confused with some trick of ethnic sympathy with political leaders from the region. Because it is their right, people from the North should be the most vocal and radical in demanding that SADA succeeds as proposed.

For political leaders, chiefs and other members of the middle class from the North, it is a test of their patriotism to ensure that the dream of the patriots from the region who pioneered the idea is achieved. Will today's generation of Northern leaders – the sons and daughters of the Abavanas, the Alhassanis, Dombos, Bawumias, and all the others, betray the trust bequeathed by these patriots?

President John Mahama, who certainly must consider himself a proud son of the North, has the singular patriotic and historic responsibility to make SADA work. Will the government of NDC, which claims to be the party for the “masses”, “progressives”, “social democrats”, deliver on SADA, or will it turn out to be another sad saga of “*yebedii keke*”?

Conclusion

Now, there is no doubt that Ghanaians are utilizing their right to free speech and expression. Indeed it is common to hear people say in exasperation that we Ghanaians talk too much. Almost each of the presidents and military regime leaders we have had, has had occasion to express exasperation about how much Ghanaians talk. In today's democratic order, the atmosphere is one of voice and sound all over. Media pluralism and advances in communications technologies augment and amplify the voices tremendously.

All the freedom to voice out, to speak out and to express oneself notwithstanding, why do the voices – strong and uninhibited as they seem – not produce the desired effect of impacting on needs and aspirations of the people? What must or can be done for voice to generate accountability? Indeed, are all voices equal, and are all voices legitimate?

First we must address certain illusions that are likely to gain ground simply because there seems to be free expression of voices. For example, a remarkable development of the Fourth Republic is that, government, officials, appear closer to the people and therefore responsive. This is because it is common to have ministers of state, DCEs, etc to appear on radio programmes or to call in to radio discussion programmes to intervene or answer questions. This can easily substitute for officials and persons in authority actually taking action to remedy situations or to implement programmes. The people can easily perceive this as responsiveness when indeed it is some sort of political trick. That we can converse often with the minister could give us a false sense of “dialogue” with government.

Another illusion that may be enhanced is the likelihood of mistaking the multiplicity and loudness of voices as relevant voice, or voices with weight of influence. But to determine the significance of the voices requires assessment of what the voice is about and from whom. A lot of what goes on as freedom of expression in the political space is still limited to the voices of the middle class. The media and their focus and messages are still Accra centered. News is still dominated by news of the Castle or Flagstaff House. It is the issues on political parties and government not issues on poverty, development, such critical social issues, that dominate the agenda of radio talk show programmes. A study by the MFWA, and work on the ground among radio stations, indicated that very few of the radio stations in the regions cover on a regular basis the work and activities of the District Assemblies. The MFWA also found out that only a small number of the people sent out by political parties as serial callers or representatives on media discussion programmes are women.

We may surmise that, indeed what we observe as multiplicity of voices still exclude the voices of the mass of peasants, rural people generally, women, the youth, and so many segments of poor urban populations.

Even so, what is needed to give strength, meaning and power to voice in an open democratic society such as we have in Ghana? At the cultural level, it is important to encourage and strengthen the use of our indigenous languages in forums of all kinds where citizens interact with officials. The development of Ghanaian languages will enhance freedom of expression tremendously. That is why the National Communications Authority must have policies that give preferential status to the establishment of community radio stations, or all stations using Ghanaian languages.

Our media people must assert their independence and move away from the tendencies to seek favours with officialdom, a practice which compromises the media's propensity to be critical and independent. If chiefs are going to be relevant, they too must begin to be vocal about national issues and policies affecting their peoples. The attitude of not saying anything critical about government, except when it affects land and royalties, is not acceptable or enough.

All this aside, the real thrust of giving power to voice must come from the strengthening and hopefully the re-orientation of civil society activism. First, civil society groups genuinely committed to social change must strive to maintain absolute independence from government and political parties. Cooperation with government from issue to issue – which is often a necessity – or with political parties must be conducted on clearly defined basis of independence.

Coalitions have proven to be effective in making impact. But coalition work in Ghana suffers from many limitations – most especially of commitment by member organizations – which need attention for improvement. Additionally, civil society work could do with a bit of militancy and a stronger sense of independence from officialdom. The “middle class” affliction of easily and readily pandering to officialdom is all too often rife also among civil society activists.

It is important to also insist that No is No.

A creeping ominous threat to persisting with our voices is the twin political devils of ethnicity and political party sectarianism. These feelings of “belonging” become a handcuff on our capacity to shout out loudly, clearly, and without compromise. By now we should be aware that, more and more,

the interests of party leaders and beneficiaries of the largesse of power, and those of the people are as parallel as two railway lines.

To give power to the relevance of voice for social change, we must be ready to add the muscle of political activism. We must live fully the full import of freedom of expression: shouting, demonstrating, protesting, and organizing. We must fight the polarization imposed by political parties, and widen and expose the polarization between patriotism and a political culture increasingly determined by the “Vicky ambition” – the principle of “one million dollars”.

Endnotes

1. Amartya Sen, *Development as Freedom*, Oxford University Press, 1999. p. 150-151.

2. P.A.V. Ansah, Why Nobody Loves the Journalist. In Audrey Gadzekpo, Kwame Karikari and Kwesi Yankah (Editors) *Going to Town. The Writings of P.A.V. Ansah*. Accra, Ghana Universities Press, 1996, p. 148.

