CAGI

Criticality Analysis of Governance Issues

Center for Economic, Governance and Political Affairs

Policy & Administration | Transparency & Accountability

Anti-corruption | Peace, Security & Stability

Human Rights & Justice | International Relations

IMANI
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What is the Criticality Analysis ?

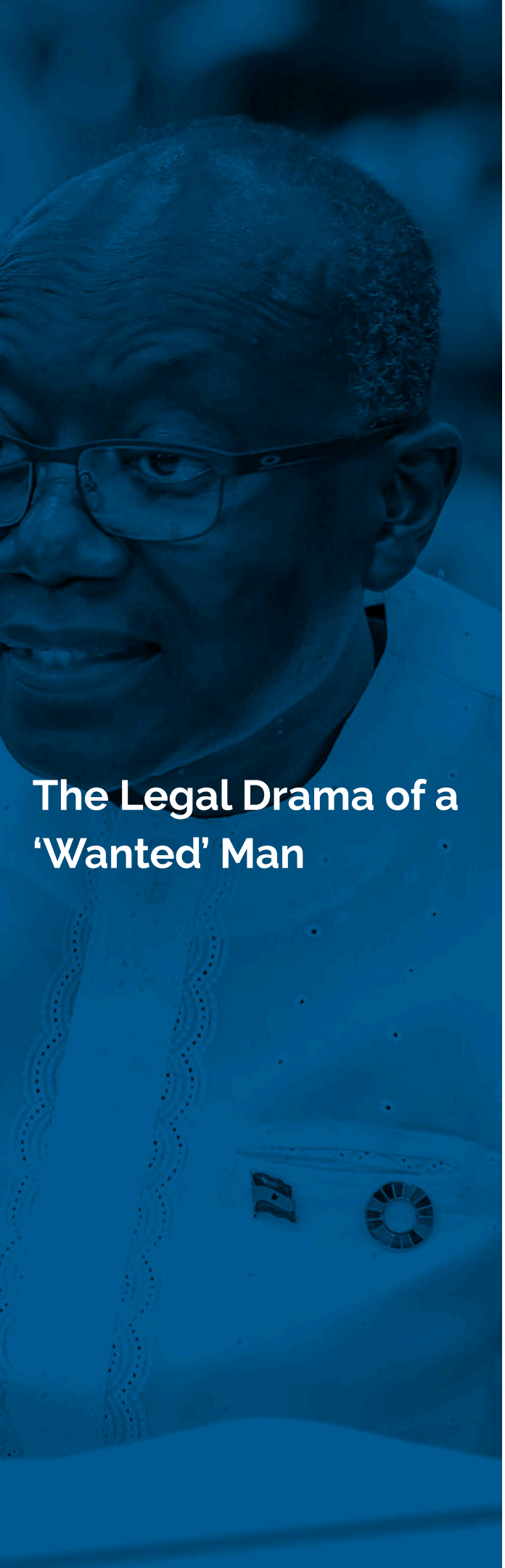
The output of good governance is socioeconomic development that has greater impact on the citizens. Government takes the wheels of affairs of the state on the back of the many promises made to the electorates. Yet, it is no easy task when it comes to the processes and mechanisms required for true public services delivery. It must follow policy guidelines religiously, maintain the social contract, avoid excesses and wastages, and be an accountable steward of that which it has been entrusted.

IMANI Centre for Policy and Education in a bid to monitor the processes and mechanisms for public services delivery has devised the Criticality Analysis to evaluate the key actions of the government in this pursuit. The Criticality Analysis follows the major news reports on the key governance issues categorised under the following six (6) themes:

1. Policy and administration.
2. Transparency and accountability.
3. Anti-corruption.
4. Peace, security and stability.
5. Human rights and justice.
6. International relations and development

The Criticality Analysis assesses the key governance issues by employing rigorous narrative analysis. First, we collect the key governance issues from reliable and credible news sources. A preliminary screening is conducted to filter out low-impact and non-governance related issues. The issues are then categorised under the 6 main themes. The criticality analysis is not a performance assessment of government actions.

During the assessment, critical attention is paid to the factual accuracy of the reports, relevance and timeliness, and impact and significance. In view of this, the reports are corroborated by analysing same from multiple sources and monitoring the trends and development. In addition, expert opinions on the key issues are analysed to inform the final output of the Criticality Analysis which includes our recommendations for policy and practice to enhance public service delivery and accountable stewardship



The Legal Drama of a 'Wanted' Man

When the Office of the Special Prosecutor signaled that Ken Ofori-Atta had become a "fugitive from justice" and sought an INTERPOL Red Notice, it set off a constitutional brawl. From one vantage point, the Office of the Special Prosecutor (OSP) insistence on in-person appearance represents the uncompromising pursuit of procedural integrity; from another, it strikes like an overzealous power grab that crushes the presumption of innocence. At its heart, this is more than a clash between a high-profile suspect and a determined anti-corruption agency—it is a test of whether Ghana's rule of law can accommodate both rigorous investigation and the bedrock rights guaranteed under Article 19 of the 1992 Constitution which provides for fair trial of a person charged with a criminal offence. But, is Ken Ofori-Atta charged with a criminal offence? The OSP says, "No".

Mr. Ofori-Atta's journey from the rank of finance minister to "wanted" figure began in January 2025, when the OSP first notified him of five separate corruption inquiries and asked for his appearance on February 10. His legal team responded with medical documentation of treatment abroad, offering remote cooperation but withholding a firm return date. As successive deadlines passed—despite the appearance of biopsy reports and assurances of surgery—the OSP publicly framed each delay as calculated evasion. By June 2, with no physical appearance and no unwavering travel plan, the OSP triggered an INTERPOL Red Notice, elevating the local standoff into an international theatre.

Legal experts, including Kofi Bentil, IMANI's Vice President and the Director of Research Strategy and Communication at the OSP, Appiah Darko clashed on JoyNews' NewsFile June 7, 2025 edition. Kofi Bentil, immediately seized on this escalation as a constitutional crisis.

He cautioned that treating a suspect as a fugitive for declining to attend an investigatory session dents Ghana's guarantee of "innocent until proven guilty" (see clause 2c), risks trial by media, and sets a dangerous precedent for unfettered investigatory power. Kofi Bentil insists that once evidence meets a threshold, the OSP should file formal charges in court and allow the accused to deploy every safeguard of a fair hearing—whether in person or, if necessary, in absentia. In his view, due process serves as both shield and sword, protecting individuals from arbitrary state action while empowering the judiciary to adjudicate contested facts. Samuel Appiah Darko offers a counterpoint grounded in procedural law and institutional mandate. He stresses that Ghanaian statutes forbid trial in absentia until a suspect has been formally arrested and charged (see clause 3). Absent that arrest, the OSP argues, there is no legal basis for proceeding in any forum—virtual or otherwise. From this perspective, Ofori-Atta's medical correspondence, arriving piecemeal and without a definitive travel schedule, did not satisfy the requirement of personal engagement with investigators. To waive that requirement, Appiah Darko contends, would be to allow suspects to dictate the scope and timing of investigations, thereby eroding the OSP's capacity to enforce anti-corruption statutes.

Put side by side, Bentil's constitutional fervor and Darko's procedural rigor reveal a deeper tension at the core of democratic governance. Kofi Bentil warns that the spectacle of a "wanted" man, known to be abroad and undergoing serious illness, risks turning legal instruments into political theatre. Appiah Darko counters that rules without teeth invite endless delays and expose anti-corruption bodies to strategic manipulation. Each stance carries merit: safeguarding fundamental liberties demands vigilance against prosecutorial overreach, yet empowering law enforcement to pursue complex financial crimes requires unwavering adherence to formal processes.

Beyond this "Tug-of-War" lies a wider reckoning for Ghana's political and legal order. If the OSP prevails in narrowly demanding physical appearance before filing charges, suspects with the means to travel—or to secure staggered medical affidavits—could evade scrutiny indefinitely. Conversely, if suspects can trigger in-absentia trials or binding remote interviews at will, investigative agencies may lose the authority to compel testimony and preserve vital evidence. The balance struck here will ripple through future corruption probes, influence investors' perception of Ghana's governance, and shape citizens' faith in impartial justice.

Regardless, the curtains are yet to be drawn on this drama. Will Ken Ofori-Atta return, risking immediate arrest and trial, or will the OSP's Red Notice prove a hollow threat? Might the interpretive jurisdiction of the apex court be invoked to clarify the interplay between Article 19's fair-trial protections and the OSP Act's investigative prerogatives? And could this saga prompt legislative reform—perhaps a Mutual Legal Assistance framework that marries remote cooperation with robust enforcement? What began as a dispute over one man's obligations has become a landmark moment for the rule of law. The next act of this legal drama will determine whether Ghana's system emerges fortified or fractured under the glare of its own highest ideals.



Democracy Dominoes: When Neighbours Fall, Who Stands Last?



In an increasingly precarious West African neighbourhood, Ghana appears outwardly calm—but the tremors at its borders raise urgent questions. Military juntas in Mali, Burkina Faso, and Niger have overthrown constitutions with ease, while civilian regimes in Côte d'Ivoire and Togo deploy legal manoeuvrings to entrench power with little protest from international actors. Though Ghana has long stood as a democratic exception in the region, that reputation can not be a shield forever. When leaders begin to treat constitutional mandates as optional, and regional silence greets democratic sabotage, the question no longer becomes whether a democracy can fall—but when, and how.

The literature on Ghana's democratic health already presents cause for concern. Mawuloe Koffi Kodah's notion of "democratic illiteracy," articulated in the African Journal of Political Science and International Relations, warns that many Ghanaians lack a grounding in civic knowledge and democratic principles, leaving them vulnerable to manipulation and disengagement. Victor Adetula, writing for the Nordic Africa Institute, echoes this disillusionment, pointing to a surge in institutional mistrust—particularly toward the Electoral Commission—and a growing sense that formal democracy may not produce real change. The erosion of institutional legitimacy is also examined in Adams Mubarak's 2023 essay, which notes that corruption, elite impunity, and chronic political exclusion remain unresolved despite three decades of constitutional rule.

Yet it is not just what happens within Ghana that matters. Scholars and regional analysts are increasingly turning their attention outward. The contagion effect of democratic backsliding—whether by military boot or judicial robe—is taking hold across West Africa.

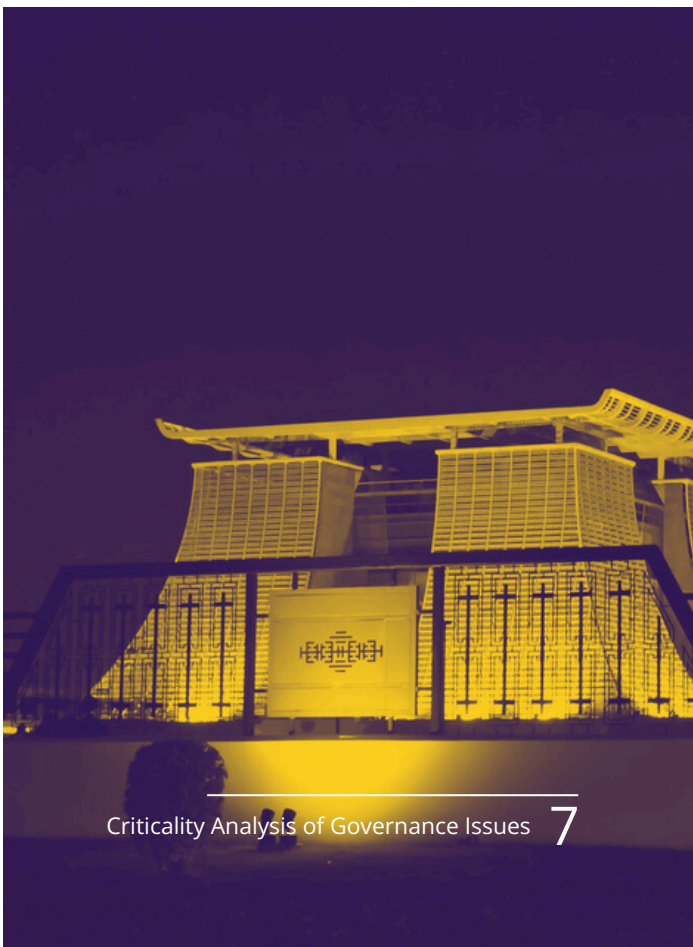
In Togo, the April 2024 constitutional amendment that reshaped the presidency into a ceremonial role and transferred executive power to a new "President of the Council of Ministers" has effectively allowed President Faure Gnassingbé to sidestep term limits. What has followed has been a wave of youth-led protests, decentralized and digitally coordinated, demanding an end to dynastic rule that has lasted nearly six decades. The government's response—a mix of repression and internet blackouts—is familiar and deeply instructive.

Côte d'Ivoire's trajectory has been more subtle, but no less corrosive. Ahead of the 2025 elections, the government used institutional processes to bar key opposition figures like Laurent Gbagbo and Tidjane Thiam from running, while judicial and electoral agencies remained unflinching in their interpretations. With Alassane Ouattara facing virtually no credible opposition, the line between democratic competition and coronation grows thin. As observed in The Africa Report and Al Jazeera, Côte d'Ivoire is sliding into a managed democracy—one in which rules technically exist, but only to validate the status quo.

It is this kind of regional normalization of authoritarian legality that threatens Ghana most. The Media Foundation for West Africa, in its 2022 report, cautions that coups and constitutional abuses alike are contagious. When citizens view elections as rituals that produce no accountability—and when regional blocs like ECOWAS respond with ambiguity or soft censure—then even well-established democracies can stumble. This is underscored in Gwinyai Regis Taruvinga's 2023 analysis, which warns that the growing appeal of military regimes in the Sahel is directly tied to the failures of civilian governments to deliver security and opportunity.

Ghana's internal weaknesses amplify this exposure. The work of Gyampo, Graham, and Bossman Asare on political vigilantism, as well as Kojo Impraim's analysis of electoral thuggery, show that violence and elite manipulation are neither distant threats nor foreign imports—they are deeply embedded in Ghana's own democratic landscape. Add to this the rising frustration of Ghanaian youth, many of whom face high unemployment and perceive politics as a closed game, and it becomes clear that the space for democratic rupture is not hypothetical—it is latent.

What keeps the line from breaking is not inevitability, but vigilance. Ghana's courts, civil society, faith groups, and independent media have, for now, helped stem the tide. But these institutions require constant renewal—and genuine political will—to maintain legitimacy. The moment leaders begin to treat those institutions as inconveniences rather than cornerstones; the dominoes gain momentum. As Ghana watches its neighbours repurpose constitutions and sideline dissent, it must choose: will it be the firewall that holds, or the final tile to fall?





Budgeting Without Brakes: Can Cash Without Reform Deliver Local Development?

Finance Minister, Dr. Casiel Ato Forson announced nearly GH¢988 million for Ghana's District Assemblie s Common Fund (DACF) in the first quarter of 2025. Double the highest annual allocation of recent years, it is hailed as a bold recommitment to fiscal decentralization. Yet behind the fanfare lies a stark paradox: pouring unprecedented sums into local government coffers without first overhauling the accountability structures that have long undermined those very resources. The Auditor-General's reports for 2021 through 2023 expose a pattern of under-delivery and misuse: net transfers to assemblies hovered between 65.9% and 76.2% of their allocated shares, while irregularities siphoned off 14.8% to 20.5% of those transfers. With close to two-thirds of available funds routinely lost to deductions, leakages or delays, the question is inescapable: can assemblies spend more money more wisely if the underlying culture and controls remain unchanged?

In 2021, the Auditor-General recorded GH¢511 million as the assemblies' share of the DACF, but after deductions and leakages only GH¢390 million ever reached local budgets—and a further GH¢66 million vanished into irregular expenditures. The following year, the problem worsened: GH¢370 million allocated, GH¢262 million delivered, and a startling GH¢54 million misapplied. By 2023 the gap narrowed slightly, but the core issue endured—assemblies received just 65.9% of what belonged to them, and nearly 15% of that net sum still slipped through the cracks. This chronic under-performance reveals more than technical glitches; it points to deeply embedded habits of opaque procurement, uneven oversight, and incentives misaligned with public service

Confronting these failures demands more than stricter audit checklists or harsher penalties for errant officials.

Table 1: DACF allocation to MMDAs 2021-2023

Year	MMDAs' Share	Deduction at Source	MMDAs' Net Cash Transfer	% Net Cash Transfer	AuG Report Irregularities	% Lost to Irregularities
2021	511,002,936.02	121,428,418.62	389,574,517.40	76.2	66,130,366.12	17.0
2022	370,000,000.00	108,213,400.00	261,786,600.00	70.8	53,636,715.87	20.5
2023	510,000,000.00	173,566,650.00	336,433,350.00	65.9	49,653,295.18	14.8
2024						
2025	*987,965,073.00*	*197,593,015.00*	*790,372,058.00*	*80.0*		

Source: Auditor General's Report on Management of DACF, 2022-2023

At the 2025 National Economic Dialogue, Franklin Cudjoe of IMANI Africa rejected the prevailing "Principal-Agent" model of public financial management—one built on suspicion, compliance reminders, and infrequent performance reviews. He painted Ghana's governance machinery as "a broken machine" fuelled by archaic rules and low morale, proposing instead a Stewardship Model centred on intrinsic motivation, ethical commitment, and radical transparency.

Dr. Sangu Delle extended this vision in his essay "Beyond Rhetoric: A Radical Rethink of Ghana's Public Financial Management," advocating a values-driven system where public servants see themselves not as mere agents of a distant centre, but as stewards entrusted with national resources on behalf of their communities. Drawing on lessons from New Zealand and Singapore, he argued that trust begets discipline: when officials feel both empowered and morally accountable, they innovate to stretch every cedi, rather than gaming rules for narrow gain. Crucially, he insisted stewardship must complement, not supplant, existing controls—transforming audits and expenditure returns from box-ticking rituals into public conversations about shared priorities and tangible outcomes.

Yet despite these compelling blueprints, the 2025 DACF rollout remains anchored in a cash-first, reform-later posture. Under the new government, the Minister for Finance is now transferring 80% of the DACF directly to the assemblies—a shift from the previous practice of calculating net transfers.

While this marks a significant improvement in fiscal decentralisation, the accompanying accountability framework still treats oversight as a narrow financial exercise rather than a broader governance partnership. Assemblies are required to submit detailed expenditure returns from the prior quarter before accessing the next instalment. However, paper-based reporting—no matter how thorough—cannot reveal whether boreholes deliver safe water to communities, markets boost local incomes, or classrooms reduce overcrowding. Nor can it detect whether procurement lines are inflated, contracts awarded to cronies, or projects abandoned after initial disbursements.

If history is any guide, Ghana will witness a rebound in nominal transfers—potentially nearly GH¢3.2 billion in DACF across 2025—only to see a similar scramble for resources undermine real impact. Worse, higher totals could embolden rent-seeking if the stewardship mindset fails to take root: larger leakages, grander ghost projects, and deeper public cynicism. The remedy lies in marrying Cudjoe's and Delle's stewardship proposals with the financing mechanism itself. Assemblies should co-create quarterly work plans with citizens, publishing live progress reports on district-level portals, and inviting independent civil-society observers to budget hearings. Performance corridors—key indicators like functional boreholes per capita or percentage completion of health posts—must trigger bonus disbursements or, conversely, corrective action plans when missed.

Moreover, Ghana's Parliament and Auditor-General could pilot a Participatory Budget Audit in select districts, blending official audits with community-led field verifications. Early results would shape a national playbook for roll-out, ensuring that the exponential growth in DACF allocations becomes an engine of equitable development rather than an accelerator of waste. Political will is paramount: ministers and chief directors must model stewardship by publicly releasing their own performance evaluations, demonstrating that accountability applies at every level of government.

"Budgeting Without Brakes" can herald a new era of local transformation—if the government treats reform and funding as two sides of the same coin, rather than sequential tasks. In a democracy still striving to deepen its roots, the real test will be whether Ghana can institutionalize trust as rigorously as it enforces budgets. Only then will the DACF become not just a windfall of cash, but the foundation for communities to thrive.



Recommendations



1. To restore balance between vigorous anti-corruption enforcement and constitutionally guaranteed rights, Parliament should amend the OSP Act to codify clear deadlines for laying formal charges once investigations reach a prosecutorial threshold, and to authorize counsel-supervised remote testimony—including video-conferencing—when medical necessity or public interest demands it.

2. Ghana must shore up its democratic firewall by launching a nationwide civic-literacy campaign—partnering with schools, faith organizations, and youth networks—to inoculate citizens against authoritarian narratives and reinforce the value of constitutional term limits. The Electoral Commission should convene a regional summit under ECOWAS auspices to harmonize early-warning mechanisms and commit member states to rigorous sanctions for any successful coup or constitutional coup, turning diplomatic ambiguity into deterrence. Domestically, Parliament needs to pass legislation clarifying the illegality of vigilante politics, empowering the police and National Peace Council to pre-empt election-related violence and hold perpetrators to account. Finally, civil-society coalitions should establish a "Border Democracy Observatory," pooling data on regional backsliding and issuing quarterly risk assessments to inform both government policy and international partners.

3. Before further increasing District Assemblies Common Fund allocations, the Ministry of Finance and Local Government Service should pilot a Participatory Budget Audit in ten diverse districts—blending official expenditure returns with citizen-led field verification of borehole functionality, market construction, and classroom completion. National rollout of Cudjoe's stewardship blueprint demands mandatory bi-weekly town halls in every assembly, live open-data dashboards tracking each cedi spent, and semi-annual performance reviews co-chaired by CSOs and traditional authorities. Disbursement rules should be recast so that unlocking Q2 and Q3 DACF funds hinges on meeting outcome-based "performance corridors" (e.g., 90% of planned boreholes operational), not merely submitting paper returns. Finally, training institutes for local government officers must integrate Delle's values-based curriculum—elevating intrinsic motivation and moral accountability alongside technical procurement skills—to embed stewardship as the default operating culture.

Further Readings

The Legal Drama of a 'Wanted' Man

- Declaring people wanted is unconstitutional – Kofi Bentil on OSP vs Ofori-Atta - MyJoyOnline
- I won't advise Ofori-Atta to return to Ghana – Kofi Bentil - MyJoyOnline
- Ken Ofori-Atta's lawyers informed me that he has cancer - Kissi Agyebeng
- Ofori-Atta must first be arrested before any trial in absentia – OSP clarifies - Adomonline.com
- OSP triggers INTERPOL Red Notice for Ken Ofori-Atta over corruption probe - Channel1 News
- About Red Notices
- Ofori-Atta's Interpol Red Notice: Public listing could jeopardise strategic arrest – Amanda Clinton - MyJoyOnline
- OSP re-declares Ken Ofori-Atta a fugitive

Democracy Dominoes: When Neighbours Fall, Who Stands Last?

- Democratic illiteracy A threat to sustainable.pdf
- Growing Mistrust – A Threat to Democracy in Ghana: Opportunities and Challenges in the Upcoming General Elections (Policy Note No 5:2016)
- (PDF) THREE DECADES OF DEMOCRATIC EXPERIMENT IN GHANA: THE GAINS, CHALLENGES, AND THE PROSPECTS
- Togo approves constitutional reform changing how president is elected | Elections News | Al Jazeera
- Ouattara, Thiam, Gbagbo... How will Côte d'Ivoire vote in October? - The Africa Report.com
- Why did rumours of a coup sweep Ivory Coast this week? | Conflict News | Al Jazeera
- The-Troubling-Resurgence-of-Coup-detats-in-West-Africa-Final-1.pdf
- Political Vigilantism and Democratic Governance in Ghana's Fourth Republic on JSTOR
- Thuggery-sophisticated-impunity-threats-to-representative-democracy-in-ghana.pdf

Budgeting Without Brakes: Can Cash Without Reform Deliver Local Development?

- Beyond Rhetoric: A Radical Rethink of Ghana's Public Financial Management - Imani Africa
- Report of the Auditor-General on the Management and Utilisation of the District Assemblies Common Fund and other Statutory Funds for the year ended 31 December 2022.pdf
- Report of the Auditor-General on the Management and Utilisation of the District Assemblies Common Fund and other Statutory Funds for the year ended 31 December 2023.pdf
- Over GHS980 million transferred to District Assembly Common Fund account for 1st quarter— Ato Forson
- Natl Econ Forum Franklin Cudjoe Ghana Governance Reform March 2025.pptx
- Ghana's current approach to governance is a broken machine — Franklin Cudjoe
- SEND Ghana calls for public participation in budget preparation - Graphic Online

IMANI
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IMANI Center for Policy & Education is a Think Tank of considerable local and international repute based in Ghana. Founded on the 9th of March 2004, IMANI has carved a niche in Ghana's policy environment for putting out objective, independent analysis and critique on many issues, using tried and tested techniques that apply across different disciplines.

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