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The Gap between Theory and Practice of Stakeholder Participation

The Case of Management of The Korle Lagoon, Ghana

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COMMENT



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COMMENT

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TABLE OF CONTENTS

1. Introduction	75
1.1 Aims and Objectives	76
2. Theoretical Framework	76
2.1 Participation and discursive democracy	76
2.2 Shades of Participation	77
2.3 Participation as a means versus participation as an end	77
2.4 Legal Framework of Water Resource Management in Ghana	78
2.4.1 1992 Constitution of the Fourth Republic of Ghana	78
2.4.2 Customary Law	78
2.4.3 Water Resources Commission (WRC) Act 522	78
2.4.4 Water Policy Framework	79
3. Materials and Methods	80
3.1 Study area	80
3.2 Data Collection	80
4. Results	83
4.1 Previous and Current levels of Participation in the Community	83
4.2 Structure and Process of Participation in the Community	83
4.3 Impediments to the full participation of the Community	83
4.4 Effectiveness of arrangements for settling disputes among stakeholders	85
5. Discussions	85
6. Conclusion	88

1

INTRODUCTION

Decision-making needs to take into account a wide array of stakeholders and shades of opinions if decision outcomes are to maintain a high quality.¹ It is argued that a key driver of increased efficiency in water resource management is the involvement of all stakeholders, especially at the local level where resources originate.² Stakeholder involvement prevents marginalisation and potentially reduces conflict.³ It is a potential contradiction that although stakeholders' involvement in decision-making is proposed as an approach to manage conflict, in practice the process usually reveals tensions inherent in the collision of diverse interests among stakeholders.⁴ Nonetheless, stakeholder participation at the local level is fast gaining world wide approval as a mechanism to deal with complex environmental problems.⁵ Ghana is no exception and it is important to point out the antecedents to stakeholder participation in Ghana.

Ghana is dealing with extensive urban periphery settlements due to the massive migration of rural inhabitants to the cities, especially to the political and economic capital, Accra.⁶ United Nations Environment Programme (UNEP) estimates the rate of urban growth in Ghana at more than three per cent per annum, ranking Ghana 53rd among 184 countries covered by UNEP.

Severe housing needs and urban poverty compel migrants to settle on marginal lands within and at the periphery of the cities.⁷ Persons in these settlements have low-income and the settlements in themselves often lack essential social services, especially those related to sanitation (clean water, sewerage and waste management system), resulting in heavy environmental pollution.⁸ Water resources usually become the key environmental component that suffers foremost from such unbridled pollution, a situation epitomised by the Korle lagoon in Accra.⁹

This coastal lagoon is highly polluted; its depth has also been greatly diminished by siltation.¹⁰ Consequently, the floodwater carrying capacity of the lagoon has been reduced significantly. Following this, flooding is widespread during the rainy season and often results in loss of lives and properties.¹¹ The threat to life and property, as well as the rapid deterioration of the lagoon itself, presented compelling and urgent needs for a more sustainable management of the lagoon. Out of these needs, the Korle Lagoon Ecological Restoration Project (KLERP) was conceived, but it has encountered policy resistance. It was originally planned for completion in December 2003, yet it is behind schedule, with varying opinions among stakeholders on the reasons for the

1 See S. P. Simonovic and T. Akter, 'Participatory Floodplain Management in the Red River Basin, Canada', 30 *Annual Reviews in Control* 183,189 (2006).
2 O. Hetland, 'Decentralisation and Territorial Reorganisation in Mali: Power and the Institutionalisation of Local Politics', 62 *Norwegian Journal of Geography* 23,35 (2008).
3 See R. Giordano et al., 'Integrating Conflict Analysis and Consensus Reaching in a Decision Support System for Water Resource Management', 84 *Journal of Environmental Management* 213, 221 (2007).
4 K. Botchway, 'Paradox of Empowerment: Reflections on a Case Study from Northern Ghana', 29 *World Development* 135, 145 (2001).
5 K. Prager and U. J. Nagel, 'Participatory Decision Making on Agri-environmental Programmes: Case Study from Sachsen-Anhalt (Germany)', 25 *Land Use Policy* 106,110 (2008).
6 B. Cohen, 'Urbanisation in Developing Countries: Current Trends, Future Projections, and Key Challenges for Sustainability', 28 *Technology in Society* 63, 74 (2006).

7 G. Tiple et al., 'Housing Supply in Ghana: A Study of Accra, Kumasi and Berekum', 51 *Progress in Planning* 255, 310 (1999); J. Kröpp, M.K. Ludeke and F. Reusswig, 'Global Analysis and Distribution of Unbalanced Urbanisation Processes: The FAVELA Syndrome', 10 *GALA: Ecological Perspectives for Science and Society* 109, 115 (2001) and I. E. Yeboah, 'Demographic and Housing Aspects of Structural Adjustment and Emerging Urban Form in Accra, Ghana', 50 *Africa Today* 105,112 (2003).
8 See Tiple et al., note 7 above. See also K. Boadi and M. Kuitunen, 'Urban Waste Pollution in the Korle Lagoon, Accra, Ghana', 22 *Environmentalist* 301, 305 (2002).
9 See Kröpp, Ludeke and Reusswig, note 8 above and M. B. Beck, 'Vulnerability of Water Quality in Intensively Developing Urban Watersheds', 20 *Environmental Modelling and Software* 381, 385 (2005).
10 See A. T. Amuzu and C. A. Biney, Review of Korle Lagoon Studies (Accra: Institute of Aquatic Biology, 1995); A. Y. Karikari, K.Y. Asante and C. A. Biney, Water Quality Characteristics at the Estuary of Korle Lagoon in Ghana (Accra: Water Resources Institute, 1998) and O. D. Ansa-Asare et al., 'Impact of Human Activities on Nutrient and Trophic Status of Some Selected Lagoons in Ghana', 12 *West African Journal of Applied Ecology* 1, 8 (2008) and Boadi and Kuitunen, note 11 above.
11 See Tiple et al., note 7 and Amuzu and Biney, note 14 above.

delay. In spite of the fact that the Korle lagoon was previously viewed as a wetland of international importance,¹² it has almost lost its significance because of pollution. Yet efforts at finding solutions to the stagnation of the KLERP still leave much to be desired. It is against this background that this study was carried out to contribute to finding lasting solutions to the sustainable management of the lagoon.

1.1 Aims and Objectives

The aim of this study was to understand the role individuals and groups within the catchment of the lagoon play in the formulation and implementation of policies intended to manage the lagoon. The following questions were formulated to guide the study:

What role have local groups in the Old Fadama Community played and do play currently in the process of formulating and implementing lagoon management policies? What is the structure and process of community participation? What are the impediments to their full participation in the policy formulation and implementation process? To what extent are the impediments directly or indirectly affecting the management of the lagoon? Are there effective arrangements for settling disputes among stakeholders of the lagoon?

2

THEORETICAL FRAMEWORK

2.1 Participation and Discursive Democracy

Participation as an ideology traces its roots to third world development.¹³ Owing to the failure of development projects in the 1950s and 1960s, social workers and field activists began to call for the inclusion of populations

concerned with development in project design and implementation. The notion then was that such projects were unsuccessful because local populations were left out of the decision making process; a state of affairs that tended to perpetuate social inequality. Hence participation was proposed as a mechanism to promote equality through inclusion (empowerment). Interestingly, although participation was projected to address inequality, the literature is replete with cases where it instead perpetuated inequality.¹⁴ Central to the process of participation is the issue of mediation, which involves a discursive and spontaneous connection between the law and democracy.¹⁵ Lately, Habermas's concept of discursive democracy within which participation resides, is becoming the normal practice in the management of water resources.¹⁶ The theory of discursive democracy transcends communicative action as it encapsulates a theory of law and democratic institutionalisation.¹⁷ The theory considers 'democracy as not being ingrained in civic society or popular sovereignty, but in the structures of communication, for which Habermas takes for granted the prospect of consensus and argumentative discourse'.¹⁸ In discursive democracy, equal access to the discursive platform is a fundamental assumption. However, it is argued that this assumption in reality may not always be the case.¹⁹ For instance in Ghana, the history of participation shows that this is not the case;²⁰ therefore, effective monitoring of the participatory process is necessary to ensure equal access to the discursive terrain. Delanty argues that Habermas perceives popular or representative democracy as inadequate in capturing complications in modern plural societies. In the same vein, it is also argued that popular democracy fails to 'take account of the existence of multi-cultural pluralism, which challenges both the

12 Y. Ntiamao-Baidu, 'Seasonal Changes in the Importance of Coastal Wetlands in Ghana for Wading Birds', 57 *Biological Conservation* 139, 148 (1991).

13 S. Rahnema, 'Work Councils in Iran: The Illusion of Worker Control', 13 *Economic and Industrial Democracy* 69,85 (1992).

14 H. Lotz-Sisitka and J. Burt, A Critical Review of Participatory Practice in Integrated Water Resource Management (Johannesburg: South Africa Water Resources Commission, 2006) and G. Lizarralde and M. Massyn, 'Unexpected Negative Outcomes of Community Participation in Low-cost Housing Projects in South Africa', 32 *Habitat International* 1,9 (2008).

15 See Lotz-Sisitka and Burt, note 21 above.

16 J. Palerm, 'An Empirical-Theoretical Analysis Framework for Public Participation In Environmental Impact Assessment', 43 *Journal of Environmental Planning and Management* 581 (2000).

17 See Lotz-Sisitka and Burt, note 21 above.

18 Extensive treatise of the complexities associated with communication and discursive democracy is given in note 21.

19 See Palerm, note 24 above.

20 See Botchway, note 4 above.

notion of unity of the civic community and the appeal to legitimacy on the basis of popular sovereignty'.²¹ These shortcomings of popular democracy underpin Habermas's proposal of the theory of discursive democracy of participation. The theory is significant for a number of reasons. First, it recognises the reality of multi-cultural value systems. Next, it takes into account the problem of complication in modern societies. Finally, it identifies the question of law and institutionalisation. In essence therefore, the theory of discursive democracy of participation takes into account both agency (of individuals to make decisions) and structure (the establishment of new institutions through participatory practice).²²

2.2 Shades of Participation

Participation as a process captures both expert and lay knowledge in environmental management.²³ Many shades of participation exist including participation as consultation, as decision-making, as partnerships for implementation, as capacity building, as expressing a need, as covering bases, as ownership, and as a mechanism for decentralisation.²⁴ Given that the effectiveness of each shade of participation may vary across spatial-temporal scales, the critical question is which kind of stakeholder participation is appropriate for a particular setting and what level of intensity is deemed sustainable.²⁵ Several researchers argue for example that empowerment of stakeholders through participation can improve the environmental management process.²⁶ Another school of thought

questions this assertion and posits that participation is not necessarily an improvement on the original top-down governance approach.²⁷ Participation requires consensus-building, negotiation, conflict resolution, trade-offs and holistic thinking and these issues are frequently time consuming and expensive, irrespective of the scale (Giordano *et al.*, 2007). The opposing views in the on-going debate imply that there is the need to look at the issues at stake from the arena of complexity since either way, a mere reversal of governance approach seems to be insufficient to tackle multi-dimensional problems.

2.3 Participation as a Means Versus Participation as an End

Participation of the Old Fadama community in managing the lagoon is not an end in itself. Rather, it is instrumental in the sense that it is a means to an end.²⁸ Here, the end or goal is behavioural change on the part of the stakeholders. It is however simplistic to assume that information access through participation will necessarily translate into behavioural change. Regardless of one's position on the matter, it seems evident that a certain gauge for evaluation is necessary to inform the stand an individual takes on the success or failure of the participatory process. Any kind of evaluation has to capture either the process goals or the outcome goals. For instance, in relation to the participatory process, process goals reflect social learning and eventual relocation of residents of the Old Fadama community, while outcome goals reflect the restoration of the lagoon to a better hydrological condition. An evaluation which focuses on process goals may consider the participatory exercise successful if socio-economic empowerment of residents is accomplished. At the same time, an evaluation which focuses on outcome goals may see the exercise as unsuccessful because the ecological condition of the lagoon may not have necessarily improved. In either case, the conclusion is subjective because it hinges on the values of the individual or group conducting the evaluation.²⁹

21 See Lotz-Sisitka and Burt, note 21 above.

22 For extensive discussion on the matter, see Lotz-Sisitka and Burt, note 21 above.

23 A.M. Simon-Vandenberg, 'Lay and Expert Voices in Public Participation Programmes: A Case of Generic Heterogeneity', 39 *Journal of Pragmatics* 1420,1429 (2007).

24 H. Lotz-Sisitka and J. O'Donoghue, 'Participation, Situated Culture and Practice Reason' in A. Reid *et al* eds, *Participation and Learning: Perspectives on Education and the Environment, Health and Sustainability* 111 (Netherlands: Springer, 2008).

25 M. Fraser *et al.*, 'Bottom Up and Top Down: Analysis of Participatory Processes for Sustainability Indicator Identification as a Pathway to Community Empowerment and Sustainable Environmental Management', 78 *Journal of Environmental Management* 114,120 (2006).

26 B. S. Murdock, C. Wiessner and K. Sexton, 'Stakeholder Participation in Voluntary Environmental Agreements: Analysis of 10 Project XL Case Studies', 30(2) *Science, Technology and Human Values* 223, 235 (2005).

27 G. Rowe and L.J. Frewer, 'Evaluating Public-Participation Exercises: A Research Agenda', 29(4) *Science Technology and Human Values* 512 (2004). See also Lotz-Sisitka and Burt, note 22 above.

28 N. Roberts, 'Public Deliberation in an Age of Direct Citizen Participation', 34(4) *The American Review of Public Administration* 315, 346 (2004).

29 M. M. Mark and R.L. Shotland, 'Stakeholder-based Evaluation and Judgements', 9(5) *Evaluation Review* 605,616 (1985).

2.4 Legal Framework of Water Resource Management in Ghana

2.4.1 1992 Constitution of the Fourth Republic of Ghana

Article 11 of the 1992 Constitution, the fundamental law of Ghana, provides that the laws of Ghana shall comprise of the Constitution; enactments made by or under the authority of the Parliament established by the Constitution; Orders, Rules and Regulations made by any person or authority under a power conferred under the Constitution; the existing Law; and the common Law.

2.4.2 Customary Law

Within the context of the customary law, all forms of water are viewed as public property, ownership of which is vested in stools³⁰, communities and families. Thus, private or individual ownership was not permissible, and rules and regulations were evolved at community level to govern the use, management, and resolution of conflicts involving water resources. To this end, all the members of a particular community had a right of access to water resources within the boundaries of that community. Customary laws were used to govern and manage water resources before the colonial rule, and persisted through post-independent Ghana. Some authors have treated the subject of customary water law and water resources management in Ghana.³¹ However, this right of access to, and management of water resources by stools, communities, and families has been eroded or seriously undermined by the coming into force of the Water Resources Commission (WRC) Act (Act 522, 1996) in December 1996, which has now become

30 Common in Ghanaian homes is *adwa* (stool) that is used as a seat. The stool is an important political symbol in the indigenous form of government. The stool of the king (*ohene adwa*) is the sacred symbol of his political and religious authority. It represents the permanence and continuity of the indigenous authority.

31 N.A. Ollenu, *Principles of Customary Land Law* 40 (London: Maxwell and Sweet, 1962); M. Opoku-Agyemang, *Shifting Paradigms: Towards the Integration of Customary Practices into the Environmental Law and Policy in Ghana*, 2 *Securing the Future* (2001); M. Opoku-Agyemang, *The Role of District Assemblies in the Management of Trans-district Water Basins in Ghana* (Paper presented at the International Workshop on African Water Laws: Plural Legislative Frameworks for Rural Water Management in Africa organised by, Johannesburg, 26-28 January 2005).

the major legislative instrument for the management of water resources in Ghana.

2.4.3 Water Resources Commission (WRC) Act 522

Pursuant to Act 522 (or the WRC Act), the WRC was established as a statutory corporate body with the mandate to govern and manage all water resources in Ghana. This implies that the WRC Act removes the pre-1996 customary ownership and management of water resources from stools, communities and families, and rather vests the ownership, utilisation, control and management of water resources in the state, and installs the WRC as the ultimate institution for the management of all water resources. Section 37 of the WRC Act defines water resources as:

all water flowing over the surface of the ground or contained in or flowing from any river, spring, stream, or natural lake or part of a swamp or in or beneath watercourse and all underground water but excluding any stagnant pan or swamp wholly contained within the boundaries of any private land.

Notwithstanding, persons claiming pre-existing rights of access to any water resources have to petition the WRC within 12 months from the coming into force of the Act (in December 1996) for consideration and the determination of appropriate action by the WRC. The WRC is also obliged to undertake stakeholder consultation before granting water rights, and to hold public hearings with regard to water use which may give rise to the need for relocation or resettlement, or cause dislocation, or in any way cause the destruction of the natural water resources of the community. More so, it is an offence under the Act to interfere with, alter the flow of, pollute or foul water except in accordance with the provisions of the Act or with the approval of the Environmental Protection Agency (EPA).

Some of the functions of WRC relevant for this paper are:

- Propose comprehensive plans for the utilisation, conservation, development and improvement of water resources
- Initiate, control and co-ordinate activities connected with the development and utilisation of water resources
- Grant water rights

- Collect, collate, store and disseminate data or information on water resources in Ghana;
- Advise the Government on any matter likely to have adverse effect on the water resources in Ghana
- Advise pollution control agencies in Ghana on matters concerning the management and control of pollution of water resources
- Monitor and evaluate programmes for the operation and maintenance of water resources

The WRC also has the mandate to make regulations on all aspects of water resources and management, the most interesting among them being the protection of watersheds, the granting of permits to discharge waste into water bodies, and prescribing the acceptable levels of pollution. A key problem that can be anticipated in the achievement of the objectives of the WRC Act is the possible lack of cooperation from the traditional owners of water resources, and non-compliance due to lack of awareness on the part of communities, families and other water users, and other problems that could emanate from the legal plurality of water resources management. It is argued that in spite of the establishment of the WRC, old water use rights continue to exist and reign de facto, and the WRC lacks the power to interfere with decisions of high political and economic importance.³²

The WRC Act provides that permit for registrable water uses is to be obtained from the appropriate Local Government Authority. In early 1999, Ghana Water and Sewerage Corporation (which was responsible for the provision, distribution, and conservation of rural and urban water supply and sewerage treatment) was replaced with the Ghana Water Company Ltd. (GWCL) and the Community Water and Sanitation Agency (CWSA). The CWSA facilitates the provision of safe water and sanitation services to rural communities and provides technical assistance to the District Assemblies, while GWCL is responsible for urban water supply. Surprisingly, the Accra Metropolitan Authority (AMA) was given the responsibility for sewerage treatment in Accra. This explains why the AMA is at the forefront of the KLERP.

2.4.4 Water Policy Framework

Until 2002 when the WRC prepared a draft water policy, there has been no major or tangible policy framework for managing water resources. In 2004, Ghana launched a National Water Policy to complement the WRC's effort to implement integrated water resources management. The overall goal of the National Water Policy is to 'achieve sustainable development, management and use of Ghana's water resources to improve health and livelihoods, reduce vulnerability while assuring good governance for present and future generations'. The policy seeks to ensure sustainable water resources management within the context of two key issues:

- conservation of the water resources stock in all its occurrences to sustain availability and maintain acceptable quality for the betterment of human health and the environment; and
- regulation and control of demands of water use and waste disposal to stay within the natural capacity of the water resources base, which must necessarily maintain its regeneration and self-purification characteristics.

Of the fourteen (14) points guiding principles of the policy, four are of interest to this paper:

- the principle of subsidiarity in order to ensure participatory decision-making at the lowest appropriate level in society;
- the principle of solidarity, expressing profound human companionship for common problems related to water;
- the principle of integrating river basin management with management of the coastal zones and wetlands; and
- the principle of the greatest common good to society in prioritising conflicting uses of water.

The National Water Policy identifies ten focus areas for policy consideration from 2004 to 2025, and for each focus area the main principles, challenges, key objectives, and measures or actions required are identified. The focus areas are: integrated water resources management, access to water, water for food security, water for non-consumptive and other uses, financing, climate variability and change, capacity building and awareness creation,

³² W. Laube, 'The Promise and Perils of Water Reforms: Perspectives from Northern Ghana', 42 *Afrika Spectrum* 419, 425 (2007).

good governance, planning and research, and international cooperation. It is interesting to note that both the legal and policy frameworks for water resources management in Ghana are entirely focused on water supply for domestic and other uses, but no explicit provisions are made for the management of wetlands

includes the Odaw River, two huge drains that border the lagoon, and rainfall (including runoff). A mixture of land uses characterises the areas adjacent to the lagoon as shown in Figure 1. The entire settlements around the lagoon are peripheral with population density of 250 persons per hectare and income levels of up to 350 USD per annum.³⁴

3

MATERIALS AND METHODS

3.1 Study Area

The Korle lagoon³³ is estimated to drain a total catchment area of 400 km². The major hydrological input

3.2 Data Collection

The main instrument in the investigation was a survey with the administration of questionnaire. In all, forty individuals consisting of 28 males and 12 females from the community were involved in the survey. Forty are too few respondents to enable statistical generalisations; however, the aim of the inquiry was to understand the participatory process. For this purpose, there were enough respondents. The principle of informational

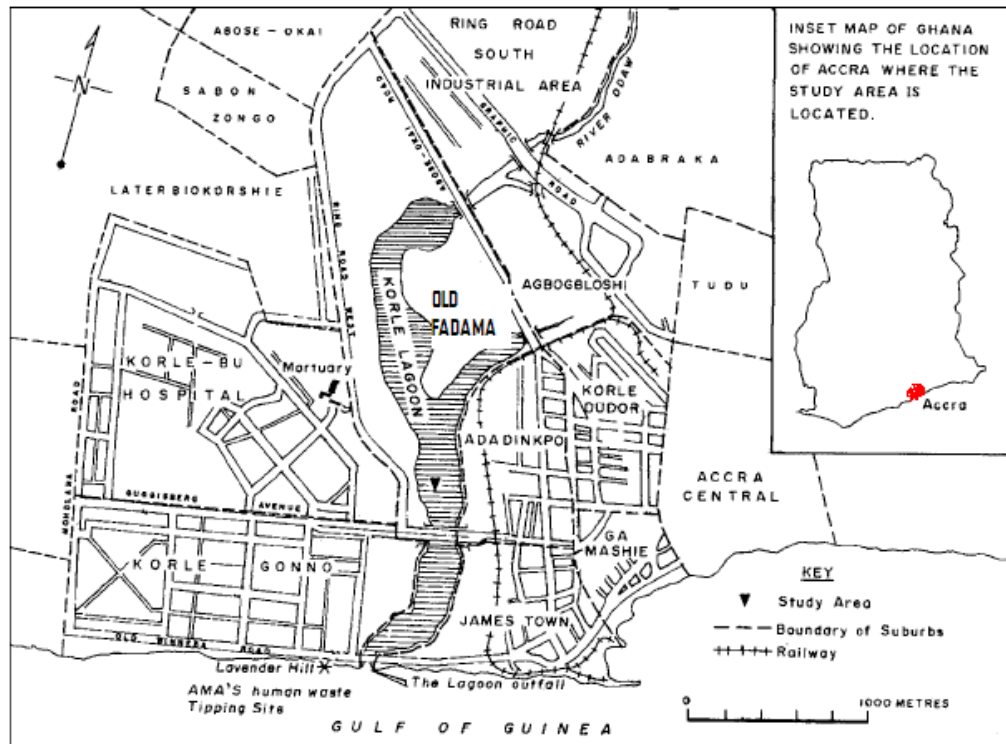


Figure 1: Study area showing the Korle lagoon and peripheral settlements

³³ See Karikari, Asante and Biney, note 15 above.

³⁴ R. Grant, 'Out of Place? Global Citizens in Local Spaces: A Study of the Informal Settlements in the Korle Lagoon Environs in Accra, Ghana', 17 *Urban Forum* 1, 18 (2006).

redundancy or theoretical saturation was used to determine the scope of the survey in terms of the number of respondents that needed to be sampled.³⁵ A number of opinion leaders in the Old Fadama community were also interviewed as part of the survey. The interviews were carried out in English, Twi and the local languages spoken in the community. In respect of the local languages, some of the opinion leaders served as interpreters. All the respondents chosen for study in the Old Fadama community were 18 years or older: those who can make decisions on their own with little or no parental influence. Most of them live on their own and their decision-making is largely independent of parental influence.

Respondents views on the importance and necessity of the KLERP and by extension lagoon management was measured on a 5-point Likert-type scale ranging from 1 (*strongly disagree*) to 5 (*strongly agree*). Involvement of the community in lagoon management was assessed by a dichotomous variable about involvement of various individuals and groups in the participatory process and if yes the frequency (often, sometimes, seldom). Efficiency of the community representatives in addressing lagoon management concerns of residents was assessed on a 5-point Likert-type scale ranging from 1 (*strongly disagree*) to 5 (*strongly agree*). The perception of respondents on whether they felt marginalised in the participatory process and whether they considered it necessary to be integrated into the process were assessed on a 5-point Likert-type scale ranging from 1 (*strongly disagree*) to 5 (*strongly agree*). The level of communication among relevant stakeholders was assessed on a 5-point Likert-type scale ranging from 1 (*very low*) to 5 (*very high*). The frequency of incidence of conflicts among stakeholders was measured on a 3-point Likert-type scale (3=*often*, 2=*sometimes*, 1=*seldom*).

The demographics of respondents are as follows: half of all respondents were 18-25 years, 25 per cent were 26-33 years, and 20 per cent were 34-40 years. Only five per cent were older than 40 years. This age structure and distribution of the respondents probably reflects the sources of livelihood in the community that predominantly demand physical exertion. The male to female proportion of the respondents was 7:3. This may be a result of the fact that males were more willing to

volunteer as respondents. This behaviour was expected because in most Ghanaian cultures and households, males have the final say when it comes to making decisions.³⁶ Although all respondents resided in the community, 20 per cent worked outside the community at distances of up to 20 km away. Married respondents represent 75 per cent of the sample and unmarried, 25 per cent. All but one of the unmarried individuals indicated that they had no children. The number of children for married couples ranged between 0 and 9; the average number of children for all survey respondents is approximately four. Fifty per cent of respondents have lived in the community for between 2-5 years while 40 per cent have lived there for over five years. Five per cent of respondents have lived in the community for less than one year and another five per cent have lived there for between 1-2 years. Although the research focused on residents, almost 50 per cent of all individuals contacted in the community indicated that they were non-residents but earned a living in the community. Respondents were engaged in thirteen types of occupation including predominantly trading, and scrap metal dealing. Others include porter, carpentry, bartending, catering, video house operator, secretary, factory worker, fashion designer, chemist, steel bending and religious priest. Except for one factory worker and one porter all the respondents earned a living in the community. Interestingly, each of the respondents was involved in only one occupation, a situation which shows that they had little livelihood diversification.

Apart from the community, semi-structured interviews of two officials each from civil society operating in the community and the Project Contractors were carried out. The interview questions were open-ended in order to minimise the use of leading questions. This form of interview allowed the researcher to contact most of the interviewees on two or more occasions to seek clarification on issues and questions arising from previous interviews. Table 1 shows the stakeholder groups that were surveyed in the study. Key stakeholders

35 M. Sandelowski, 'Focus on Qualitative Methods: Sample Size in Qualitative Research', 18 *Research in Nursing and Health* 179, 181 (1995).

36 E. R. Carr, 'Development and the Household: Missing the Point', 62 *Geojournal* 62, 71-83 (2005); M. O. Campbell, 'Actor Networking, Technological Planning and Conceptions of Space: The Dynamics of Irrigation Farming in the Coastal Savanna of Ghana', 25 *Applied Geography* 367, 370 (2005) and F. K. Nyonator and R. Tolhurst, 'Looking within the Household: Gender Roles and Responses to Malaria in Ghana', 100 *Transactions of the Royal Society of Tropical Medicine and Hygiene* 321, 323 (2006).

refer to actors who are considered to have significant influence on the success or otherwise of the project. Primary stakeholders are the intended beneficiaries of the project; secondary stakeholders serve as intermediaries within the project. Active stakeholders

are determinants of decision making; passive stakeholders are only affected by the decisions of others.

Table 1: Fundamental interests of stakeholders in the Korle Lagoon and in the KLERP Project

Stakeholder	Characteristics	Resource Use	Interest
Old Fadama community	Primary but passive	Disposal of waste into lagoon, water withdrawal and mitigation of flooding	Economic benefits; do not pay for waste management services
Old Fadama market traders	Primary but passive	Use of land near Odaw drains	Economic benefits from continued trading near the lagoon
Local Authorities	Key, secondary and active	-	Resource Governance and Ecological health of the lagoon
Environmental Protection Agency	Key, secondary and active	-	Environmental health of the lagoon
Gbese and Korle Dudor Clans	Key, secondary and active	Cultural use of the lagoon	Sustenance of the cultural practice, history and beliefs associated with the lagoon
Dredging International (DI)	Key and secondary	-	Financial benefits from the project.
Ministry of Tourism and Diaspora Relations (MTDR)	Key but primary	Development of leisure facilities around lagoon	Business/economic benefits, maintenance of the environmental/landscape aesthetics of the lagoon
Ministry of Local Government, Rural Development and Environment	Key, secondary and active	-	Resource Governance and Ecological health of the lagoon
Ministry of Water Resources, Works Housing (MWRWH)	Key, secondary and active	-	The Ecological restoration of the lagoon.
Centre for Housing Rights and Eviction (COHRE)	Key, secondary and active	-	Dialogue and participatory resolution of conflict between local authority and Old Fadama community
Centre for Public Interest Law (CEPIL)	Key, secondary and active	-	Legal representation of Old Fadama community in Court
Peoples Dialogue on Human Settlement(PD)	Key, secondary and active	-	Economic and Social empowerment of Community
UN-HABITAT	Secondary but key	-	Economic empowerment of Community

4

RESULTS

4.1 Previous and Current Levels of Participation in the Community

Respondents were unanimous that the local authorities before January 2007 did not invite the Old Fadama community members or their representatives to forums or meetings concerning the management of the lagoon, nor did the authorities give the community an opportunity to be represented on the assembly which serves as the local level decision-making platform. This suggests that previously the community played no role either active or passive in policy formulation and implementation. This result resonates with the findings of Grant³⁷ and De-Graft Aikins & Ofori-Atta.³⁸ According to Farrelly³⁹ such a situation portrays a lack of appreciation of what local groups could proffer. Incidentally, such respondents were of the opinion that their initial resistance to policy implementation was tied to their non-involvement in the policy cycle. Hence it appears that exclusion additionally hampers implementation, in the manner identified by Fraser et al. and Edelenbos and Klijn⁴⁰ whereby marginalisation of stakeholders can lead to conflict and antagonism. Since January 2007, however, the community plays an increasingly important role in shaping the policy in the catchment of the lagoon through the participatory initiatives of civil society groups in the community.

4.2 Structure and Process of Participation in the Community

The participatory process initiated by civil society in the community has two main components: economic

empowerment through micro-credit schemes and social empowerment through dialogue with the local authorities. Civil society has established year-round training programmes and micro-credit schemes for identifiable groups within the community, particularly women's cooperatives. These programmes include meetings twice a week with the Old Fadama Community Development Association (OFCDA), also micro-credit and saving schemes, and peer-to-peer interactions. The projects are aimed at empowering community members to earn a good living and shift their dependence from the market located in the community. Some community members benefited from community to community exchanges either within Ghana or outside where they had the opportunity to observe, share and learn how their counterparts are coping with urban poverty, evictions and insecure tenure. However, the local authorities pointed out that there is the need to assess whether civil society is genuinely pursuing the interest of the community. The local authorities further assert that it is necessary to assess whether these organisations have the mandate to represent the community as a whole or whether they merely represent sectional interests considering that the community is multi-ethnic.

4.3 Impediments to the Full Participation of the Community

Broadly, the findings show that impediments to the full participation of the community in the Korle lagoon management falls within three groupings: impediments within the KLERP (agency), impediments within the Old Fadama community and impediments within the society. This is in agreement with the findings of Korten.⁴¹

Obstacles to participation within the KLERP include low levels of communication and lack of information flow between the community and civil society on the one hand, and the government and KLERP contractors on the other hand. Almost all respondents indicated that communication between the two sides had been episodic. In fact, over 90 per cent of respondents mentioned that at no stage (agenda setting, policy formulation, decision making, policy implementation, policy evaluation) of the KLERP policy cycle were they ever consulted.

37 See Opoku-Agyemang, note 39 above.

38 A. De-Graft Aikins and A.L. Ofori-Atta, 'Homelessness and Mental Health in Ghana: Everyday Experiences of Accra's Migrant Squatters', 12 *Journal of Health Psychology* 761, 770 (2007).

39 M. Farrelly, 'Regionalisation of Environmental Management: A Case Study of the Natural Heritage Trust, South Australia', 43 *Geographical Research* 393, 401 (2005).

40 J. Edelenbos and E. H. Klijn, 'Managing Stakeholder Involvement in Decision Making: A Comparative Analysis of Six Interactive Processes in the Netherlands', 16 *Journal of Public Administration Research and Theory* 417, 435 (2005).

41 D.C. Korten, *Building National Capacity to Develop Water Users' Associations: Experience from the Philippines* (Washington, D.C.: World Bank, Staff Working Paper No. 528, 1982).

Impediments to participation within the community include market dynamics, population dynamics, prejudices and discrimination against women, illiteracy and lack of awareness, factionalism and heterogeneity of population. Feedbacks exist between market dynamics and population dynamics within the community. It is significant to note that yam, onion and tomatoes are produced in northern Ghana (from where the residents of Old Fadama originate) and transported to the market in the community. According to the FAO, three-fifths of tomatoes supplied to Accra are delivered to this market. The market-related waste generated feeds into the pollution load of the lagoon as the waste management infrastructure within the community is weak. In order to put the pollution problem into perspective and to assess the extent of impact on the lagoon, there is the need to consider the population dynamics in the community. The day time population is totally different from the night population in the community, a finding which confirms the work of Appiahene-Gyamfi.⁴² This means that the population is constantly under flux. The mix of stakeholders kept changing thereby introducing an element of complexity into the dynamics of stakeholders. Previous deliberations and decisions taken in the course of the participatory process are affected through the emergence of new stakeholders from time to time. Discrimination against women was seen in social empowerment, particularly in the composition of the civil society-community team that negotiates with the local authority. The team lacks gender balance because none of the members on the team is a woman. Being a predominantly Muslim community, cultural practices in the community probably constrain the choices of women to take part in negotiations and by extension, decision-making. However, this was not the case in economic empowerment aspect of participation. Access to grants, credits and subsidies did not reveal gender disparities. More than 50 per cent of respondents indicated that they had not received formal or informal education. The education level of a further 25 per cent was basic. This suggests that illiteracy is widespread among respondents. In fact, almost 80 per cent of respondents were not aware of the meaning of participatory lagoon management. The study identified Old Fadama as a community with strong social networks, comprised of

42 J. Appiahene-Gyamfi, 'Urban Crime Trends and Patterns in Ghana: The Case of Accra', 31 *Journal of Criminal Justice* 13, 20 (2003).

individuals from different religious persuasions and ethnic groups (Dagomba, Basare, Gonja and Konkomba) living in the community. However, this heterogeneity of population has tended to drive political and ethnic factionalism and consequently conflicts within the community. This confirms the findings of Kacowicz⁴³ and McGhee.⁴⁴ More significantly, previous conflicts among these ethnic groups in Northern Ghana, more than 500 kilometres away, have often been replicated in their present location thereby generating mutual mistrust and tension among them. Consequently, feuding factions within the community have sought to align with parties on the opposite side of the political divide in order to extract legitimacy. Attempts by the local authorities to defuse the tension appear to have failed because of central government intrusion in local governance. The local authority is implicitly unhappy with the interference from central government and asserts that the practice is inimical to the autonomy and independence of the local authority. It further suspects that this interference might weaken the enforcement capacity of the authority in respect of putting into effect of its programmes and regulations, not least environmental management. The fact that the position of Chief Executive of the local authority is appointed by government compromises the neutrality and effectiveness of the appointee, who can hardly ignore interference from officialdom. According to Eckardt,⁴⁵ this creates a situation that could compromise accountability of the local authority to its constituency. This single matter more than any other issue appears to have undermined the participatory process in Old Fadama.

Impediments to participation within the society include disparities in wealth and social status, and political interference and expediency. During stakeholder meetings the opinion leaders appeared to be assertive and dominant. In fact, while opinion leaders were seen to be keen on participating in the deliberations, the less

43 A. M. Kacowicz, 'Negative International Peace and Domestic Conflicts, West Africa, 1957-96', 35 *The Journal of Modern African Studies* 367, 373 (1997).

44 D. McGhee, 'Moving to 'Our' Common Ground - A Critical Examination of Community Cohesion Discourse in Twenty-first Century Britain', 51(3) *The Sociological Review* 376, 402 (2003).

45 S. Eckardt, 'Public Accountability, Fiscal Conditions and Local Government Performance-Cross Sectional Evidence from Indonesia', 28(1) *Public Administration and Development* 1, 10 (2008).

influential individuals had to be motivated before they joined the meetings. Many of them were seen to be going about their income generating activities even though they had been given prior information about the meetings. Lupanga⁴⁶ through the concept of load and power, attempts to explain the lack of people's participation in development activities in the Third World. The hypothesis is that most people in the Third World have heavy load and little power to cope therewith and hence they are too preoccupied with mere survival to participate meaningfully in development activities. Likewise, the higher the margin between load and power the lesser the participation in development activities. If this hypothesis is true, a logical conclusion is that efforts to mobilise such marginal masses to participate in development activities must, of necessity, include reduction of load or increase of their power or both.

Power struggles among certain individuals in the community was also manifest, a situation which makes it necessary to ensure that the participatory process is not hijacked by a few privileged individuals and opinion leaders in the community who perhaps seek to dominate the process and perpetuate their self-interests. By and large, it is these impediments to participation (within the KLERP, community and society) that have collectively undermined the management of the Korle lagoon.

4.4 Effectiveness of Arrangements for Settling Disputes Among Stakeholders

Currently, arrangements for settling disputes among stakeholders of the lagoon do not appear to be effective given the low levels of communication and lack of information flow between the community and civil society on the one hand and the government and KLERP contractors on the other hand. Civil society proposed the establishment of an institution that will coordinate stakeholder groups' activities in the community, and ensuring regular stakeholder meetings. They further proposed that a federation of stakeholders associated with the problem could be constituted to regularly streamline the activities of the NGOs and foster regular communication with government in order

to prevent duplication of functions and other institutional conflicts. According to civil society, the federation should not necessarily be mandated to regulate or monitor but rather to coordinate stakeholder activities.

5 DISCUSSIONS

The issues that feed into the management of the Korle lagoon by relevant stakeholders are dynamic and socially constructed. This implies that new dimensions of the participatory process are exposed and redefined from time to time thereby underscoring the complexities involved in lagoon management. Therefore this paper can not maintain that it will comprehensively tackle all the issues at stake, however, the discussion will attempt to speak to a number of salient issues that impinge on the sustainability of the participatory process in Old Fadama.

Generally, paucity of holistic thinking at governmental and managerial levels was reflected in the perceptions about participation in water resource management at the community level. In essence, this could be due to a low-level understanding of the nature of complexity and the nonlinear connectivity that structure socio-natural systems; for example, conventional solutions are often sought in large-scale decision-support systems models that generally are ill equipped to account for the levels of complexity involved, especially the array of power structures and counter-intuitive behaviours displayed by socio-political organisations, and/or the vested interests of individuals. In particular, there are frequently fundamental conflicts between those stakeholders focused on political and economic concepts of water use and others committed to approaches favouring community owned water management, the maintenance of water systems and local scale interventionist strategies. Significantly, these conflicts operate at local, regional, and national scales and reflect fundamental differences in perception and value systems among the stakeholders interviewed in the study. Furthermore, intrinsic times and their spatial correlates, collectively form a nested spatial-temporal hierarchy which makes community participation in water resource management complex and dynamic.

46 I. J. Lupanga, 'Promise and Pitfalls: Enlisting Cooperation in Developing Countries', 10 *Israel Journal of Rural Development* 21, 22 (1988).

Heterogeneity was not only reflected in the composition of the Old Fadama community but also it was seen in the worldviews and action of civil society and all other stakeholders as well. This heterogeneity feeds into the conflicts indicated earlier. However, on most of the issues civil society groups' and the community shared similar opinions while the local authorities, government and project contractors conversely shared corresponding opinions. For instance, the definition of what constitutes participation is highly contested. On the one hand, civil society and the community fundamentally view participation to be constituent of the following elements: extensive consultation, decision making, partnerships for implementation, capacity building, expressing a need, covering bases, and ownership. On the other hand, the Government of Ghana and allied stakeholders such as the ministries and local authorities view participation as a mechanism of decentralisation, as full cost recovery and as cost sharing in water services delivery. Expectedly, this conceptual dichotomy is a source of tension among the stakeholders.

Some community members indicated that they vote in presidential and parliamentary elections. Yet they do not have representatives on the assembly where decision-making at the local level takes place. Therefore in terms of popular democracy alone, they are not constrained in their choices. Using popular democracy as an indicator or yardstick of freedom of choice does not reflect the realities or complications in the Old Fadama community because popular democracy over-simplifies the situation. On this basis, it implies that popular democracy may not be a good indicator in this case. Delanty argues that popular democracy is inadequate in capturing complications in modern plural societies.⁴⁷ This deficiency in popular democracy is amply demonstrated when it comes to the participatory process in the Old Fadama community.

The economic empowerment initiated by civil society for the community should be sustainable. Alternative livelihoods should have the capacity to generate either equal or more income than their previous sources of income. According to Mayoux, the benefits of micro-credit schemes that accrues to a community in general and particularly vulnerable groups such as women,

hinges on a number of factors; most significantly on the kind of ownership of financial institutions and on the technique (interest rates, repayment schedules, demand of collateral, magnitude of credits).⁴⁸ In addition, the responsibility lies on civil society to devise schemes and programmes which are economically self-sustaining since funding from their international counterparts can not be guaranteed in the long term. For instance, the micro-credit schemes should be structured to encounter low default rates when it comes to repayment of loans in order to render it sustainable in terms of how many individuals or groups it can support and also in terms of how long it will last.

Vulnerable groups, such as women and children and other marginalised persons, example from particular ethnic groups, must be included in the analysis for creating economic programmes. According to Levin et al, livelihoods and employment in Accra are gendered.⁴⁹ For instance, 99 per cent of onion traders in the Old Fadama market are males while within the same market, only two per cent of tomato traders are males.⁵⁰ The livelihoods strategy in the community has to take these differentiated gender needs into account in order for the impact of the programmes to be comprehensive and also to prevent lock-in effects. Civil society need to include more diverse members of the community, particularly women, on its team that negotiates with the local authorities. This could address the notion that perhaps, civil society represents sectional rather than the interest of the entire community. Also it could assist in mapping the community to determine dominant and vulnerable groups, in order to ensure equity and comprehensive coverage of all views in the participatory process, and effective monitoring of participation to ensure equal access to the discussion platform.

The sustainability and the outcome of the social empowerment component of participation in the community depend on whether the following issues can

47 G. Delanty, 'Habermas and Occidental Rationalism: The Politics of Identity, Social Learning, and the Cultural Limits of Moral Universalism', 15(1) *Sociological Theory* 30, 45 (1997).

48 L. Mayoux, 'Participatory Action Learning System (PALS): Impact Assessment for Civil Society Development and Grassroots-based Advocacy in Anandi, India', 17(2) *Journal of International Development* 211 (2005).

49 Levin et al, 'Working Women in an Urban Setting: Traders, Vendors and Food Security in Accra', 27(11) *World Development* 1977, 1985 (1999).

50 C. R. Doss, 'Mens Crops? Womens Crops? The Gender Patterns of Cropping in Ghana', 30(11) *World Development* 1987, 1989 (2002).

be comprehensively addressed: Who is setting the agenda - Is it civil society or the community members themselves? What criteria are used to determine the quota of representation for the various ethnic groups on the team that negotiates with the government? Do all individuals and groups in the community have equal access to discussions, regardless of gender, ethnicity or social status?

The worldviews of interest groups are closely related to their perceptions of problems and the resultant solutions they propose.⁵¹ This was reflected in the survey. For instance, civil society generally felt that the way forward is to simultaneously adopt economic empowerment through micro-credit schemes and social empowerment through discursive participation. The project contractors advocated for attitudinal change on the part of the community and further proposed environmental education as a mechanism that could bring about this change. The local authority mainly preferred the use of policy instruments to effect the change. Tensions may exist among these perspectives,⁵² yet in this case the worldviews may not necessarily be mutually exclusive. Given that lagoon management is multi-dimensional, the various stakeholders could find use for their perspectives in various parts of the solutions.

Two broad conceptions can be advanced in defense of participation as a democratic principle. The proceduralist conception views the outcomes of participation as legitimate because they result from a process which meets such criteria as equality and fairness, while the outcome-based conception of participation claims that participatory processes are legitimate because they have desirable consequences.⁵³ The proceduralist claim reflects the discursive value, while the outcome-based

conception reflects the reflexive value of participation. With regard to KLERP, these two values should not be mutually exclusive and the purposes of each should be identified and agreed to in advance. Standing on the proceduralist arm, it can be argued that members of Old Fadama community have a procedural right that should offer them access to the discursive terrain without any hindrance. It also implies that once the procedural right of the community is recognised, the community must be given an equal and fair treatment (participatory justice) in the participatory process. As stated earlier, the goal of the participatory process should be social learning through which the members of the community, through a discussion based on transparency and mutual respect, come to understand the need for the project and consequently agree to be relocated. The procedural right also invariably requires that the capacity of the community is strengthened to exercise this right. On the reflexive arm, participation of the community will be strengthened only if the contributions from the community are reflected in the outcomes of the participatory process, or factored into the determination of the outcomes of the KLERP. From a human rights perspective, the issue is whether or not the project implementation authority and other actors' policies and actions meet the basic requirements of right to participation. Do the attitudes, actions and policies of the project implementation authority sufficiently allow the community access to the discursive terrain, and if so, do their contributions carry weight in the determination of the decisions and outcomes regarding KLERP?

The findings of the study show that there is lack of transparency, information flow and communication between the project implementing authority and the community, which is a barrier to participation. The fact that the Old Fadama community was not involved in designing the project and its outcomes constitutes an infraction on the procedural right of the members of the community. The community's resistance to KLERP might be a reaction to the abuse of their right. More so, the lack of access to critical documents and information weakens the participatory capacity and the bargaining position of the community, making the contributions of the community to the discussion unavoidably and merely speculative and contingent. It precludes the proposition of alternative ideas by the community at the negotiating table. This amounts to discrimination or participatory injustice (unfair and unequal treatment)

51 P. Soderbaum, 'Values, Markets, and Environmental Policy: An Actor-network', 27(2) *Journal of Economic Issues* 387, 401 (1993) and R. Hueting and L. Reijnders, 'Broad Sustainability Contra Sustainability: the Proper Construction of Sustainability Indicators', 50(3-4) *Ecological Economics* 249, 252 (2004).

52 R. Zetter and A.M. Hassan, 'Urban Economy or Environmental Policy? The Case of Egypt', 4(2) *Journal of Environmental Policy and Planning* 169, 180 (2002) and T. R. Roosevelt, 'Diversity Management: An Essential Craft for Leaders', 41 *Leader to Leader* 45-49 (2006).

53 R. Vernon, *Political Morality: A Theory of Liberal Democracy* 50 (London: Continuum, 2001).

and obstructs the freedom of expression of the members of the community (or their representatives) on the discursive platform.

Clearly, the project implementing authority has only managed to bring in the community as willing partners in the furtherance of its own objectives. It is important to distinguish clearly a public relations approach from an approach designed to ascertain and incorporate the views of the community on issues related to the project. As a primary stakeholder, the community should participate in the process, as of right, and not as a token gift offered to them. They should therefore be invited to the discursive terrain on the basis of the recognition that they are equal partners. It is only by having unfettered access to the discursive terrain that the community can exercise its procedural right. While it is true that high illiteracy persists in the community and could impede the exercise of the procedural right of the community members, the civil society organisations or community representatives could be selected in a manner that will truly represent and reflect the interest and the perspectives of the community. Therefore, the community must be empowered to influence the selection of their representatives in the participatory process, and the project implementation authority should be interested in monitoring the flow of information. It appears that the project implementation authority has not fully come to terms with the human rights implications of their actions and policies, and this basic understanding is imperative for enhancing the project. Understanding that the community has a procedural right, and therefore needs to participate in the process of determining and executing the outcome of the project, as of right, will re-orient the perception of the problems hampering the success of the KLERP and the conditions for success. Consequently, the viewpoints of the community should be reflected in the decisions and actions of the project implementing authority to avert the sentiment that the participation of the community is a simple formality.

Since the members of the community derive their subsistence from the community, any attempt to evict them without commensurate compensations and acceptable resettlement conditions amounts to an attempt to deprive the community members of their means of livelihood or subsistence. This constitutes an infringement on their right to subsistence, self-determination and dignity which are protected by

international and Ghanaian laws. This in turn has far-reaching consequences for many other human rights issues which are beyond the scope of this paper. Article 15 (1) of the 1992 Constitution of Ghana provides that the dignity of all persons shall be inviolable. Article 36 (1), under the directive principles of state policy, provides that the State shall take all necessary action to ensure that the national economy is managed in such a manner as to maximize the rate of economic development and to secure the maximum welfare, freedom and happiness of every person in Ghana and to provide adequate means of livelihood and suitable employment and public assistance to the needy. Within the context of the impediments in the general society, issues of human rights arise relating to the responsibility of the state to provide adequate standard of living to the members of the community.

With particular regard to the KLERP, policy makers should not be oblivious of the human rights and legal dimensions of their decisions and actions. Policy decisions should therefore reflect a deeper understanding and respect of the rights of the community members, and those of specific groups such as women and children. More so, transparency and mutual respect should be at the core of the participatory process, reflecting both the discursive and reflexive values of participation.

6 CONCLUSION

The paper has attempted to highlight the factors that feed into conflict in relation to stakeholder participation in the management of the Korle Lagoon in Ghana. Although in theory it is argued that stakeholder involvement in water resource management prevents marginalisation and potentially reduces conflict, in practice however, it is a potential contradiction that the process usually reveals tensions inherent in the collision of diverse interests among stakeholders. 'Participation, which is also a form of intervention, is too serious and ambivalent a matter to be taken lightly, or reduced to an amoeba word lacking any precise meaning, or a slogan, or fetish, or for that matter, only an instrument or

methodology. Reduced to such trivialities, not only does it cease to be a boon, but it runs the risk of acting as a deceptive myth or a dangerous tool for manipulation. To understand the many dimensions of participation, one needs to enquire seriously into all its roots and ramifications, these going deep into the heart of human relationships and the socio-cultural realities conditioning them'.⁵⁴ In this case, issues that feed into the conflict could be categorised into three: impediments within the lagoon restoration project, impediments within the Old Fadama community and impediments within the society. This situation is typical of the participatory management of the Korle lagoon in Ghana. This would suggest a gap between theory and practice of stakeholder participation, one that calls for re-examination of the participatory process in this case.

⁵⁴ See Rahnama, note 20 above.

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