

DEMOCRATIC DELIBERATION OF TRADE LEGISLATION
IN GHANA: INSTITUTIONS, INTERESTS AND
ACCOUNTABILITY

A DISSERTATION

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ABSTRACT

This dissertation explores the political and economic contexts of legislative deliberation in Ghana. Specifically, it addresses the issue of constraints imposed on democratic lawmaking institutions in the context of Ghana's relationship with the World Bank and the International Monetary Fund (IMF). It argues that through frequent interventions with the outcomes of legislative deliberations, these institutions create a problem of deliberative accountability, that is, a situation where lawmaking institutions are torn between their obligation to justify policy choices to citizens regarded as political equals as well as their commitment to provide technical justifications to the international agencies for such choices. The dissertation however argues that such external interventions have the effect of limiting the autonomy of democratic lawmaking institutions and crowd out alternative perspectives of development policy. Also, it contends that when legislative policy choices are not justified to those whose interests are impacted, for good or bad, by them deliberative democracy is subverted.

The dissertation makes clear also that part of the justification for external interventions in lawmaking processes is that the international financial institutions operate with a model of democratic lawmaking which conceptualizes lawmakers and interest groups as actors who are often motivated by self-interested ends to political action. In contrast, the dissertation seeks to put forth an alternative conception of lawmaking that emphasizes the benefits of cooperation between lawmakers and interest groups in a process that, though not devoid entirely of self-interested behavior, is informed by deliberation based upon reasonable conceptions of common welfare.

Based upon a descriptive analysis of trade policymaking in Ghana, the dissertation demonstrates the extent of the problem of deliberative accountability and its consequences for democratic lawmaking in Ghana. It

reviews legislative debates concerning the enactment of trade legislation which met with disapproval from the international financial institutions and were subsequently vetoed by them. Further, it evaluates how the problem of deliberative accountability affects even the operations of independent institutions such as the judiciary by examining and discussing litigation that resulted from one of the laws that had to be repealed as a consequence of the intervention of the external agencies.

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