

Institutional Design and Pluralist Democracy: The Cases of Nigeria and Ghana

The advent of the Third Wave has again brought democracy to the fore of political discussion. The concept is so widely desirable and popular that even authoritarian regimes routinely try to mimic some of its principles -like elections- in a bid to gain some legitimacy, appease domestic forces and court international support. Democracy is widely desirable, but it not the panacea for all political problems. In fact, in many cases the nature and composition of the society like economic conditions, civil-military relations and clash of identities and interests pose direct challenges to democratization¹. There is therefore the need to identify the sources of these challenges and address them to make democratization more achievable. A notable challenge facing newly democratizing societies is division borne out of deep cutting ethnic and religious cleavages.² The challenge then becomes what institutions can be designed and implemented to address social cleavages and promote national unity and pluralistic democracy in these democratizing societies. Through its tolerance for opposition and diversity of interests and opinions, democracy appeals to the human desire to be heard. This implies tolerance for diverse opinion including those that stem from social cleavages. Many democratizing countries are, by colonial and/or administrative design, diverse in terms of ethnicity, religion and language. Democracy in such diverse societies therefore include attempts at reconciling these divisions/cleavages to avert violent conflict and a confinement to authoritarianism. Included in these attempts at promoting pluralism and tolerance amidst ethnic and religious divisions is the intentional design of institutions which are expected to facilitate the reconciliation of ethnic and religious differences and promote pluralistic democracy.

This paper focuses on how effective institutional design has been in managing social cleavages for democracy in Ghana and Nigeria. I discuss two sources of social cleavages in the two countries-ethnicity and religion- and attempt to answer questions about how they are being reconciled using constitutional/legal provisions. I then conclude with a chapter on how these intentionally designed institutions have impacted pluralism and democracy in the two countries. I consider four institutions in the two countries- the administrative system (federal or unitary), the electoral rules, the party system and the form of government (presidential, parliamentary or hybrid) and conclude that institutional design has indeed promoted democracy in Nigeria and Ghana. Given that my choice of countries is two democratizing African countries, I believe they are best evaluated using the most conservative standard for measuring democracy. Democracy as I use it here therefore refers to the

¹ Guillermo O'Donnell and Philippe Schmitter (eds.). *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies* (Baltimore: Johns Hopkins University Press, 1986).

² See Elster, Jon; Claus Offe, and Ulrich Preuss, with Frank Boenker, Ulrike Goetting, and Friedbert Rueb., *Institutional Design in Post-Communist Societies: Rebuilding the Ship at Sea* (Cambridge University Press) 1998 and Bermeo Nancy. *The Import of Institutions*. *Journal of Democracy* 13:23 (April 2002), 96-110

minimalist definition of the concept; a country is a democracy if it periodically holds elections that are generally considered free and fair.

My choice of the two countries is based on their similarity in form of government and colonial legacy - both are majoritarian presidential systems, both are former British colonies that gained independence around the same time (Ghana in 1957 and Nigeria in 1960)- and their ethnic and religious diversity; both have many different ethnic and linguistic groups that are mainly divided into two major religions-Islam and Christianity. The major differences which offer opportunities for comparing the two countries are on sub-national autonomy and legislative representation with Nigeria being a loose federal state with a bicameral legislature and Ghana being a unitary state with a unicameral legislature.

Literature Review

Tonkins et al. (1989:11) have noted that as “a theoretical construct, ethnicity suffers from conceptual elasticity covering a range of ideas, coming to symbolise a kind of catch-all phrase for social features and organisations such as language, religion, custom, castes, culture and ‘race’”. Lipset (1959)³ and Rustow (1960)⁴ even contend that social conflict is a necessary condition for democracy because it provides an avenue for fostering tolerance, dialogue and compromise. However, scholars are divided over what kind of institutions are best suited for which kinds of societies. Lijphart contends that in deeply divided societies, consociationalism is the best for engendering democracy. Lijphart⁵ lists four important requirements of the consociational model: (1) Grand coalition building (2) Mutual veto or concurrent majority rule (3) Proportionality in political representation, the civil service and the allocation of public funds (4) A high degree of autonomy at the sub-national level. He contends that in a consociational democracy, proportional representation gives the opportunity for diverse interests and opinions to be represented with the competition of ideas and interests encouraging political alliances and coalition governments. Majority rule is necessary to prevent a small section of the society from hijacking political power while autonomy at the sub-national level is important for the protection of minority groups. Also, political parties, driven by the need to build coalitions to form governments are compelled to compromise and embrace other sides and perspectives thereby bridging social divisions and promoting pluralism⁶. Critics of consociationalism like Meisberger⁷ counter that in democratizing societies, weak institutions combine with immature political parties with no clearly established ideologies to make proportional representation ill-suited and even counterproductive to democracy. He argues that majoritarianism is the best option for unifying a divided society and promoting democracy because majoritarianism incentivizes parties to reach across social cleavages to forge a strong party

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⁵ Lijphart. 1977. *Democracy in plural societies: A comparative exploration*. New Haven: Yale University Press

⁶ Ibid.

⁷ Meisburger

base capable of winning the majority of votes⁸. Yet, other scholars contest the importance of institutions to democracy. Cheibub and Limongi⁹ argue that it is the nature of interactions- like the likelihood of gridlock- and not institutional structures per se that determine political outcomes. Skeptics of institutional design have also argued that intentional institutional design is virtually impossible because outcomes are not guaranteed. Coram contends that institutional design is compromised by the “goodness of fit”- whether the institutions are best suited for the target society and its prevailing social conditions- and is pessimistic that institutional design is a viable way to engineer political outcomes¹⁰. Horowitz argues that there are simply too many factors affecting institutional design and its outcomes such that institutions design is not guaranteed to yield the expected outcome or to the desired degree. This, he argues, is because sectors of society are so connected and sensitive that a minor change in institutions in one sector of the society can lead to extensive, unpredictable changes in other sectors¹¹.

In the two cases I discuss here, the attitude to institutional design is one of optimism, a general belief among political elites that intentional institutional design can promote pluralistic democracy (whether majoritarian or consociational) by helping overcome volatile and divisive social cleavages and encouraging the forms of cross-cutting cleavages needed for democracy in a diverse society. To better understand the factors behind the need for institutional design in Ghana and Nigeria, I will give an overview of the ethnic and religious diversity of the two countries highlighting their similarities and major differences.

Ethnicity and Politics in Ghana and Nigeria

Since their independence in 1957 and 1960 respectively, Ghana and Nigeria have been confronted with societies that are deeply divided along ethnic, linguistic and religious lines. The British colonial policy of indirect rule used a “divide and conquer” tactic which left the two countries deeply divided upon their independence.¹² In Nigeria, the British left behind a loose federation of three regions- the Yoruba dominated Western region, the Eastern region dominated by the Ibo ethnic group and the Northern region which is predominantly Muslim with the Hausa-Fulani as the major ethnic group¹³. In Ghana, it left behind three administrative regions, the Gold Coast colony in the southern coast, the Asante Territories in the middle belt and the Northern Territories.¹⁴ Within each of these regions was a major ethn0-religious group and a collection of minorities who grew weary of ethnic chauvinism by the dominant group. Present day Nigeria is a country of over 250 ethnic groups¹⁵) roughly divided equally between Christianity, the two dominant religions and Islam. Ghana has similar religious demographics but with a majority Christian population overall although Islam is predominant in the Northern parts of the country.

⁸ ibid

⁹ Cheibub and Limongi

¹⁰ Coram, 2002

¹¹ Horowitz, 2002

¹² Ayoade, Chazan, Kilson

¹³ Laitin, 1986.

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¹⁵ Otakpor, 1981:114

More so in Ghana than in Nigeria, religion is also a cross cutting social cleavage. Islam and Christianity attract people from diverse ethnic groups providing a form of inter-ethnic integration under a shared religious identity. The extensive ethnic divisions in the two countries make for a highly volatile society especially considering the immature, corrupt and ineffective institutions the countries have long had. Ayoade, 1986 contends that three factors drive ethnic divisions in Nigeria to deeper depths- population, political competence and bureaucratic leverage¹⁶. In Nigeria, the use of proportional representation based on population means a region's population determines its number seats in the House of Representatives, the lower chamber of the legislature. By chance rather than design, this population based proportional representation has historically advantaged the Hausa-Fulani of the North who have about half the seats with a quarter each going to the Yoruba and Ibo of the West and East respectively¹⁷. It also fueled ethnic polarization and insecurity among minority groups, remote factors that ignited the Nigerian civil war from 1967 to 1970 The importance of electoral competence stems from the emergence of ethnic based interest groups (later political parties) in the 1930s and 1940s¹⁸. When these interest groups metamorphosed into political parties in the post-independence era, their victory in elections were evidently dependent on the strength of their regional base and the extent to which they can penetrate other regions or forge alliance with parties of congruent interests. This made it imperative to maintain and please the ethnic base of parties, a situation that encourages ethnic-based parties and elite cleavages and breeds nepotism and corruption.¹⁹

Laitin, 1986 notes that a strong connection to "ancestral city" among Yorubas deepen their regionalism and ethnic tensions towards other ethnic groups by simultaneously promoting intra-ethnic cohesion despite religious differences and increasing the "us vs them" divide between Yorubas and other ethnic groups²⁰. Taylor (2017) notes that a similar form of favoritism exists among the Ashanti of Ghana where the Ashanti have been historically accused of stocking the bureaucracy with their preferred ethnic kin (Ibid: 955)²¹. Like in many other countries, ethnicity is politicized and directed towards outgroups to gain political dominance or resist the threat of dominance by a larger group²² In Nigeria, anyone living outside his or her ancestral city or region is considered a native foreigner (*alejo* in Yoruba) and these migrants tended to concentrate in the *Sarboṅ Garis* (Yoruba for alien quarters). In Ghana these places are called *Zongos* in Ghana and residents here share a similar social status. These alien quarters are often in the big cities where residents form good sized ethnic minorities that challenged the dominant ethnic group of the host region or city²³ In instances like the Zangon-Kataf riots of 1992, tensions between the Christian Katafawas and Muslim Hausa-Fulani migrants degenerated into a violent ethno-religious

¹⁶ Ayoade, 1981:76

¹⁷ Ibid: 89; Suberu, 2009:71-72

¹⁸Suberu, 2009:71-72

¹⁹ (Suberu, 2009:67; Kilson, 1970: 75).

²⁰ Laitin, 1986: 110 .

²¹ Taylor (2017):955

²² Ayoade, 1981:72-73; Chazan, 1982; 1984; Laitin, 1986: 129-130

²³ Ayoade, 1981:73; Laitin, 1986:109)

conflict in which some 1500 people in the state of Kaduna lost their lives. Similar clashes in Jos state underline the volatility of these tensions²⁴ Thus, major ethnic groups demand and push for regional autonomy and bureaucratic leverage to promote ethnic interest and may resort to competing informal institutions like nepotism, tribalism and corruption to achieve those goals. These informal institutions, besides being inimical to development may also deepen inter-ethnic polarization and is known to have culminated in the 3-year Nigerian civil war (1967-1970) over the attempted secession of the Eastern territories to form the independent Ibo country of Biafra (Chazan, 1982: Suberu, 2009:71). In comparison, Ghana has not had a credible threat of secession but ethnic conflicts dot the country's history. Violent conflicts over land have erupted between the Kokombas and Nanumbas (in 1990) and between the Abudus and Andani clans both of whom are Dagombas in a chieftaincy dispute²⁵

Ghana shares a lot of historical, social and political characteristics with Nigeria ranging from colonial history to electoral rules and party systems. Given the similarity in ethnic divisions and social conditions, the factors at play in Nigeria are also applicable to the case of Ghana. In both countries, the population of a region is important because of its implications for elections, resource allocation and regional identity/pride. Also, the politicization of bureaucratic recruitment and the culture of nepotism means that representation in the bureaucracy is necessary to protect regional and ethnic interests and to reap the full benefits of population and political competence (Ayoade, 1981:77). However, the scope and depth of deep cutting social cleavages is a notable difference between the two countries. Ethnicity is politicized in Ghana but unlike in Nigeria, does not extend beyond the realm of elections. Outside of elections, Ghanaians are more cohesive and share a sense of national identity that is stronger than in Nigeria which means the ethnic base of political parties in Ghana are much more fragile (Chazan, 1982: 484). Kilson (1970) contends that the politicization of ethnicity in Ghana was led by political elites seeking to gain political power and divided the country into pro-unitary forces and pro-federal supporters. Ghana's first political party, the United Gold Coast Convention (UGCC) was dominated by the Akan; an umbrella group that includes the Ashanti, Bono, Akwapim and Fante ethnic groups. The Convention People's Party, a breakaway party of the UGCC was established as a party for the Nzema and non-Akans (mainly the Ga, Ewe, Dagomba etc.) and drew enough support from the collection of minority ethnic groups to win the country's first presidential general elections²⁶. Although both parties supported a unitary state, the Ashanti demanded federalism after independence out of a desire to preserve their autonomy vis-à-vis the central government and to maintain control over the vast mineral wealth within its regional borders^{27,28}. The seeds of ethnic tension planted in that period continues today in the form of a close relationship between the two dominant parties are still visibly ethnic-

²⁴ (Abubakar, 2001: 34).

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²⁶ (Kilson, 1970: 75; Arthur, 2009)

²⁷ Ibid

²⁸ Jay Oelbaum. Ethnicity Adjusted? Economic reform, Elections and Tribalism in Ghana's Fourth Republic. *Commonwealth & Comparative Politics* 42(2):247

based despite conscious effort to be more inclusive of other ethnic groups²⁹ The National Democratic Congress (NDC) is the preferred party in Ewe dominated Volta Region securing 82.5% of votes in the 2016 presidential elections compared to 15.7% for the NPP. On the flipside, the New Patriotic Party (NPP) has the Ashanti region as its stronghold securing 76.2% of votes compared to a commendable 23.2% for the NDC³⁰. Interestingly, the leading founders of the two parties are from these regions, making the party-ethnicity alignment even more glaring.³¹ Much like in Nigeria, there is a geographical divide in Ghana's voting patterns. The NPP tends to dominate the mostly Christian Akan areas of southern Ghana while the NDC is more popular in the Northern half of the country where Islam is more predominant.

Unlike Nigeria, Ghana has maintained the unitary state established upon independence. This means integration and tolerance have been necessary to maintain a peaceful, unified country. Demand for federation by the Ashanti ethnic group was quelled by the post-independent Nkrumah government which used constitutional provisions like the declaration of a unitary state and extraconstitutional tactics like the Preventive Detention Act to arrest political opponents and perceived enemies of the state³²

Institutional Design and Pluralism in Nigeria's Fourth Republic (1999- to date).

Post-civil war Nigeria was faced with the choice to either reconcile its different ethno-linguistic and religious groups or risk further attempts at secession and possibly another civil war all in a time when third wave of democracy was picking up steam and international pressure was building on the oil rich nation. In the end, the country (except for proponents of an independent Biafra) made the decision to remain one country and subsequent constitutions and institutions were designed to address the grievances of minority ethnic groups and allay their fears of ethnic chauvinism by the larger ethnic groups like the Ibo, Yoruba and Hausa-Fulani³³. Lijphart (2002) contends that in a society with deep cutting social cleavages like Nigeria, the best way to promote democracy is through consociationalism and a proportional representation system³⁴. In the case of Nigeria, attempts at a parliamentary system in the First republic failed because the senate was a weak organ that could neither check the overwhelming powers of the president nor properly represent minority interests³⁵ Subsequent provisions in the constitutions of the Third and Fourth Republics therefore abandoned the parliamentary system for a presidential system. The institutional design adopted to manage social cleavages in Nigeria's Fourth Republic

²⁹ Chazan, 1982: 463

³⁰ Electoral Commission of Ghana, Elections Database Accessed 4/2/ 2018
<http://www.ec.gov.gh/election-results/2016-presidential-results.html>

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³² Martin Kilson, "Elite Cleavages in African Politics: The Case of Ghana" In Leadership: The Psychology of Political Men Journal of International Affairs, Vol. 24, No. 1 (1970) :76

³³ Akinyele, 1996: 71, Suberu 2009:67

³⁴ Lijphart, 1977; 2002

³⁵ (Suberu, 2009:73-74).

(1999- to date) is a mixed system of power sharing and majoritarianism which combines federalism, bicameralism with proportional representation, a majoritarian electoral system, and a presidential form of government.

Article 2(2) of the 1999 constitution declares Nigeria a federal republic and Article 3 (1) divides the country into a multi-ethnic federation of 36 states and 774 local government areas³⁶. The federal system allows for a degree of ethnic autonomy at the subnational level because states are carved around ethnic territories and local governments are carved around major ancestral cities to preserve ethnic pride. This ethnofederalism aims at protecting ethnic minorities from the real and perceived threats of majority domination by splitting large ethnic groups into multiple states and thereby diluting their dominance³⁷. Hale, 2004 contends that ethnofederalism is most effective when dominant groups are institutionally divided because it makes it more difficult for groups to coalesce around core ethnic values like ethnic nationalism which can breed secession and inter-ethnic violence. This appears to be working in Nigeria³⁸. To avoid the capture of central and local power by one or a few dominant ethnic groups or regions, states are drawn to have populations of roughly equal sizes and territories of major ethnic groups are divided into many smaller constituent states to better accommodate ethnic minorities and check the secession of major ethnic groups. (Suberu, 2009:73). Although Stepan (1999) argues that constitutional asymmetry in state sizes is an indispensable feature of federalism in multiethnic societies, Nigeria's 1999 constitution emphasizes constitutional symmetry in state sizes³⁹. Suberu, 2009 posits that this is because Nigeria's history attests that having asymmetrical states is politically contentious and unsustainable because it advantages certain major ethnic groups, threatens the capture of political power by dominant ethnic groups and makes minorities weary and secessionist⁴⁰. It is therefore necessary to forge a common national identity based on political equivalence and comparable demographics among the states and to avert the kind of ethnic power capture and marginalization that ignited violent conflict in Sudan (and South Sudan) and the Ivory Coast⁴¹. Nigeria's federalism is rather loose; states do not enjoy the extensive autonomy states in the US or Canada do. For instance, they do not have state constitutions or local police services. Moreover, control of natural resources is fully vested in the central government and states are subject to the overriding control of the central government⁴². This recentralization of devolved powers has been criticized for weakening federalism in Nigeria but defenders contend that the relative autonomy of constituent states is guaranteed through administrative decentralization, the intergovernmental division of powers and the central government's collection and redistribution of oil and other revenues to the states (Ibid). Admittedly, federalism has not totally erased secessionist sentiments. Although the 1999 constitution outlaws secessionism and ethnic based parties, a significant minority of Ibos (especially in

³⁶ The Nigerian Constitution Article 2 §2; Article 3 § 1; Suberu, 2009:72.

³⁷ Laitin, 1986: 108; Kendhammer, 2014:405

³⁸ Henry E Hale. "Divided We Stand: Institutional Sources of Ethnofederal State Survival and Collapse" World Politics Vol. 56, No. 2 (2004), pp. 165-193

³⁹ Stepan, 1999

⁴⁰ Suberu, 2009:73

⁴¹ Ibid.

⁴² Suberu, 2009:75

the Niger Delta area) still demand an independent Biafra and have formed violent militias/rebel groups like the Movement for the Emancipation of the Niger Delta (MEND) to protest the neglect of the oil-rich region and demand independence.⁴³ To foster ethnic and regional representation in government and minimize the threat of secession and domination by major ethnic groups, the 1999 constitution established a bicameral legislature designed to balance the powers of the various states. Article 47 of the 1999 Constitution states inter alia *"There shall be a National Assembly (NASS) for the federation which shall consist of two chambers: the Senate and the House of Representatives"*⁴⁴. The Senate has 109 representatives, three from each of the 36 states and one for the federal capital territory of Abuja⁴⁵. The House of Representatives is based on proportional representation of population with the most populous states having more seats. In all, there are currently 360 representatives in the House, one for each of the 360 federal constituencies. The smaller sizes of constituencies coupled with equal representation in the Senate and proportional representation in the House appeals to both minority and majority groups each of which sees its interests and voice represented in government. Minority groups are now majorities in their specific constituencies with the power to make their own local government regulations while feeling insulated from the chauvinism of majority groups. Multi-state federalism has allayed fears of ethnic domination and minimized sectarian and ethnic conflict through autonomy, fair representation and inter-ethnic integration. This has helped cool the combustible forces of inter-ethnic and religious intolerance and promoted pluralism and democracy through national integration and the development of a shared national identity⁴⁶ Proponents of proportional representation contend that it is best for forging unity and pluralistic democracy in divided societies⁴⁷. This method is working well for regional and ethnic representation in Nigeria thus far in the sense that there has not been another civil war or attempt at secession despite the looming threat of it by the Ibos in the Eastern regions.

The 1999 constitution bans the imposition of a state religion at both the federal and sub-national levels. Article 10 clearly states that the government, at either the federal or state levels, cannot adopt a particular religion as state religion. However, following the imposition of Shari 'a Law in the predominantly Muslim Zamfara State of northern Nigeria in 2000, a total of 12 predominantly Muslim states have followed suit incorporating Shari 'a Law into various aspects of their criminal and penal codes and in some cases, customary law⁴⁸. This situation contravenes the constitutional prohibition of a state religion, but is widely tolerated as a symbol of state autonomy.

Nigeria's electoral rules and party system were also designed to promote integration and pluralism. Article 132 § 4 of the constitution establishes that the entire country will be a single member district for all

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⁴⁴ The Nigerian Constitution Article 47, 1999.

⁴⁵ The Nigerian Constitution Article 49, 1999.

⁴⁶ Suberu, 2009: 75-76

⁴⁷ Lijphart, 1977; 2002

⁴⁸ Abubakar, 2001: 34

presidential elections. This electoral rule implied that political parties could not rely on ethnicity and regionalism alone to win elections. Also, the constitution establishes the majoritarian electoral Meisburger posits are most effective in building coalitions and promoting integration in deeply divided, developing societies. . Articles 133 and 134 both state that winning the presidential election requires the majority of votes cast in the election, a provision that makes penetration into other ethnic groups and regions necessary to win the majority of votes in the presidential elections. The need for cross ethnic and cross-regional alliances and part support is further motivated by the provisions of subsection (b) of Articles 133 and 134 which requires a winning candidate to have acquired *“not less than one-quarter of the votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja”*⁴⁹. This provision is designed to discourage political parties from being ethnic or region based. At the local level, the majoritarian rule pitches candidates rather than ethnic groups against each other. For each constituency, there was an increased likelihood of getting candidates from the same ethnic group, thus eliminating ethnic based voting and compelling candidates to find other ways of appealing to voters including education, business acumen, social status and in some cases vote buying and corruption as well.

To promote integration and unity in Nigeria, Article 222 of the constitution bans political party logos, names or symbols that have ethnic and/or religious connotations or that suggest the confinement of party activities to just a part of the territory of Nigeria. Article 222 also establishes that a political party shall be open to the membership of all persons irrespective of ethnicity, religion or sex. Furthermore, a requirement for federal representation in political parties is included in Article 223 § 2(b) which requires that the executive committee of political parties and governing bodies established by political parties must have members from different states constituting at least two-thirds of all states in the federal republic⁵⁰. These provisions foster inter-ethnic alliances and representation in political parties and their resulting governments, thus appeasing minorities with some representation and voice in government.

Thus, Nigeria’s efforts at promoting pluralistic democracy are grounded in an institutional design that dilutes the dominance of ethnic and religious majorities within the various regions, incentivizes coalition building and encourages cross-cutting cleavages in the Nigerian society. But for slight differences in degree of cleavages and demographic distributions, these efforts are not drastically different from that of its West-African neighbor, Ghana. For the sake of the comparison I will make in the final chapter of this paper, I shall now explore institutional design and how it addresses ethno-religious cleavages in Ghana’s Fourth Republic.

Institutional Design and Pluralism in Ghana’s Fourth Republic

Ghana has faced challenges like that of Nigeria since its independence in 1957 albeit to a lesser degree. Compared to Nigeria, Ghana’s population is much smaller (currently about 28 million compared to Nigeria’s 180

⁴⁹ Nigerian Constitution, Article 133 (b) and 134 (b).

⁵⁰ Nigerian Constitution, Articles 222 and 223

million) with far fewer ethnic groups, about 100 compared to over 250 in Nigeria⁵¹. Also, most Ghanaians identify as Christian although there is a significant Muslim population especially in the three Northern regions of the country. Besides being a unitary republic with a single-chamber legislature, Ghana's institutional design is much like that of Nigeria.

Ghana's Fourth Republican Constitution of 1992 declares the country a unitary republic.⁵² Article 240 (1) divides the country into 10 administrative regions with decentralized powers for local level administration and revenue generation⁵³. Like in Nigeria, each region in Ghana is further divided into constituencies based on population, currently 275 in all. Ghana's constituencies are not symmetrically demarcated but regions still maintain the coherence and territorial integrity of local tribes and traditional states much like during the colonial rule⁵⁴. Ghana's unitary system promotes tolerance and diversity by weakening the autonomy of the various ethnic groups at the subnational and national levels. Unitarism concentrates political power in the central government giving it immense financial and political control over regions and the traditional states and tribes within them. In reverence to the profound respect Ghanaians have for traditional rulers (chiefs), Article 255 Section 1 (c) establishes the inclusion of at least two chiefs on the Regional Coordination Council of each region.⁵⁵ and the president of the National House of Chiefs to the Council of State.⁵⁶ The constitution recognizes the powers of chiefs at traditional leaders and representatives of local tribes and accords due recognition to the chieftaincy institution⁵⁷. Chiefs are barred from active partisan politics⁵⁸ but their opinions carry immense political weight. Recognizing them appeases traditional ethnic and tribal sentiments and positions chiefs to be pressure valves for raging ethno-nationalism. Also, Ghana's 1992 constitution prescribes decentralization which devolves and deconcentrates some administrative and clearly defined financial powers to the regions and districts.⁵⁹ These powers include the administration of local offices of the various ministries (trade, health, transport etc.) and fiscal powers to levy tolls and taxes on local businesses.⁶⁰

As far as national administration, Ghana is divided into ten regions headed by their respective regional ministers who are appointed by the president and subject to the approval of parliament.⁶¹ The ten regions are further divided into 216 districts, municipalities and metropolitan areas with each district headed by a district chief

⁵²Constitution of the Republic of Ghana, Article 4 § 1.

⁵³Constitution of the Republic of Ghana, Article §

⁵⁴Jay Oelbaum. Ethnicity Adjusted? Economic reform, Elections and Tribalism in Ghana's Fourth Republic. Commonwealth & Amp; Comparative Politics 42(2):245

⁵⁵ Constitution of the Republic of Ghana, Article 255 §1 (c)

⁵⁶ Constitution of the Republic of Ghana, Article 89 §1 (b)

⁵⁷ Constitution of the Republic of Ghana, Article 270 §1

⁵⁸ Constitution of the Republic of Ghana, Article 276 §1

⁵⁹ Constitution of the Republic of Ghana, Article 240 §1

⁶⁰ Constitution of the Republic of Ghana, Article 245 §1

⁶¹Constitution of the Republic of Ghana, Article 256 § 1

executive.⁶² Like the regional ministers (RMs), district, municipal and metropolitan chief executives (DMMCEs) are appointed by the president and can be from any ethnic group, religion, region or town within the country although presidents typically select from within the locality⁶³. The significance of this institutional design to pluralism is two-fold. First, the decentralization of power gives regions and localities a degree of autonomy from the central government in a way similar to the loose federation in Nigeria. Second, the appointment rather than election of the DMMCEs and RMs minimizes the possibility of local level polarization along ethnic, religious and party lines. Whoever the appointee is, local support is needed to spur development and service delivery at the local level and secure the district's share of the national cake. This can incentivize local people to put their differences aside and pursue their shared goals.

Also, with the extensive cross-regional migration that exists in Ghana, the leverage regions have over certain political parties is weakening. Except for the Volta Region which votes overwhelmingly for the NDC, all other 9 regions are hotly contested battleground or swing regions. Even in the Ashanti/ Eastern regions where the NPP boasts a stable majority of votes, bloc voting appears to be weakening overtime due to (among other things) migration, public disenchantment with governments and increasing access to information/education through political campaigns and media sources. A similar trend is underway in the Volta region where the NDC has historically been monopolized by the NDC. Asawase Constituency in the heart of the NPP stronghold of Kumasi (Ashanti Region) regularly votes for NDC parliamentary candidates just as the Akan areas of the NDC stronghold of the Volta region periodically elect NPP candidates as members of parliament. As mentioned earlier, "*Zongolization*"⁶⁴ has also contributed to the dilution of ethnic partisanship and bloc voting in Ghana's regions. Big cities are now melting pots where multiple ideas and interests interact and challenge each other to alter discourses and challenge beliefs and prejudices. The good news here is that this resocialization and reorientation process makes the ethnic-party alliance weaker and less stable than before, a situation that is reinforced by Ghana's electoral rules and party system.

Ghana practices majoritarianism. Elections to parliament and district level positions are based on the plurality (first-past-the-post) rule while presidential elections are based on the majority principle with a threshold of 50 percent plus 1 valid vote⁶⁵. The argument that majoritarianism promotes pluralistic democracy in diverse societies is applicable to Ghana. Majoritarianism has redesigned and reoriented Ghana's political parties and voters and engendered social relations that emphasize national identity and shared goals over ethnic or religious identity and interests. Moreover, political parties in Ghana do not have well defined and well-established ideologies. The NDC claims to be social democrats while the NPP claim to be liberal democrats but in reality, the two regularly sacrifice ideology to gain popularity and win votes. The NPP has long pursued universal, public

⁶² Constitution of the Republic of Ghana, Article 243 §1

⁶³ Constitution of the Republic of Ghana, Article 243 §1

⁶⁴ Coined word for the creation of a community of migrants in Ghana's big cities like Kumasi and Accra

⁶⁵ Constitution of the Republic of Ghana, Article 63 § 3 and Ghana Electoral Laws Act

healthcare and free, universal public education which it passed into law in 2003 and 2018 respectively while the NDC is yet to pass any law that meets the criteria for a left-leaning national policy. The majoritarian principle has pushed political parties into a competition for popular votes and they are incentivized to reach across ethnic, religious and regional lines to maximize their chances of gaining an electoral majority in national elections.

Ghana's majoritarian and unitary systems have combined to create a dominant two-party system in which the NDC and NPP take turns at governing. The two parties have traded incumbency and opposition between themselves since 1992 with the only form of coalition-building coming when there were runoff elections and opposition parties joined forces first against the NDC in 2000 and then against the NPP in 2008. Ghana's dominant two-party system facilitates cross-ethnic party politics by making ethnic-based partisanship less rewarding overtime. Admittedly, the two dominant parties have maintained their ethnic bases, however with time, parties have come to realize that they need more than just "home support" to win national elections. Reaching across ethnic and regional divides to canvass support and court voters has expanded political participation and promoted pluralism in Ghana's poly-ethnic society.

Related to the party system are the party rules Ghana observes. The 1992 Constitution of Ghana prohibits the formation of political parties that lack "national character". A political party cannot limit membership to any ethnic, religious or gender group or to a particular region or section of the Ghanaian society⁶⁶. Unlike in Nigeria, Ghana's constitution does not prohibit the use of ethnic or religious themed logos, colors or slogans. This provision is established by Article 3 sections 1 and 2 of the Political Parties Law⁶⁷ and is well observed by political parties. Intra-party cohesion also remains fairly strong serving as a double-edged sword that both checks executive powers (as an opposition) or serves as a mere rubber stamp for presidents when the party in power is also the majority party in parliament. Although majoritarianism has created a party system with two forgone options, it has also facilitated cross-ethnic tolerance and cohesion which, I will argue, is more important for developing and democratizing countries as diverse as Ghana and Nigeria.

CONCLUSION

The goal of this paper is to answer the questions (1) What forms of social cleavages do Ghana and Nigeria face beyond their independence? (2) How have Ghana and Nigeria used intentional institutional design to address social cleavages (3) How have the outcomes of institutional design helped promote democracy in Ghana and Nigeria? The first two of these questions have been thoroughly answered by the preceding chapters of this paper. The third is addressed here.

Promoting democracy in developing, pluralistic societies is a herculean task confronted by a plethora of challenges including political and economic instability, weak institutions and ethno-religious conflict. Under such constricting conditions, the intentional design of institutions may be a valid step towards addressing these

⁶⁶ Constitution of the Republic of Ghana Article 55 §4

⁶⁷ Political Parties law, Act 574 of 2000 Article 3 § 1 and 2

problems and promoting democracy. There is a lot of pessimism about institutional design and its effectiveness and efficiency⁶⁸ but like all strategies it works for some societies and not others because like the pessimists argue, there are a lot of factors that hinder effective institutional design. However, this does not mean the process is not worth undertaking. The evidence presented here shows that institutional design can be a force for democracy and pluralism even in societies that are deeply divided along fundamentally differently cleavages.

Ghana and Nigeria chose the path of institutional design and I argue that they are both the good for it. Since both countries returned to democratic, civilian rule in the 1990s, the severity and casualty of ethnic based conflicts have been greatly minimized and pluralism is growing in popularity. The 2017 Global Attitudes Survey show that 85% of Ghanaians and 78% of Nigerians believe representative democracy is good a sign of the increasing support for and belief in democracy in the two countries.⁶⁹ Ghana and Nigeria have both been holding periodic minimally free and fair elections since 1992 and 1999 respectively and are on course to consolidate their democracy. Ghana passed the threshold for Huntington's turnover test in 2008 and Nigeria will achieve its own if power should revert to the opposition Peoples' Democratic Party (PDP). The institutions designed to promote democracy are still weak and inefficient, saddled with corruption and poorly trained, poorly remunerated personnel. But the quest to preserve democracy continues and informal institutions like religious ties are slowly reinforcing pluralism and democracy even as competing informal institutions like corruption and nepotism erode efficiency. Strong, resilient informal institutions and kinship/social ties forged through ethnic and religious inter-marriages, migration and religion work to connect people and foster a set of identities that transcend ascribed ethnic and regional statuses. Schools, places of worship and workplaces are becoming increasingly diverse and therefore promote pluralism in ways that the comparatively closed, rigid and inward-looking formal institutions may not. Institutional design may be dismissed as a wild goose chase with little possibility of favorable returns to democracy but even in the midst of weak institutions, low development and deeply divided societies, Ghana and Nigeria prove that when it comes to promoting democracy, intentional institutional design can work.

⁶⁹ : Pew Research Center, "Globally, Broad Support for Representative and Direct Democracy" October 2017.

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