MCCANTS: This is elections interview number two in Accra, Ghana with Mr. John Larvie at the Center for Democratic Development (CDD). Thank you very much for agreeing to participate in this interview.

LARVIE: You’re welcome Ashley.

MCCANTS: I have a number of questions, but you can indicate the subjects on which you have the most to say and feel free to add questions or skip questions as you see fit.

I always like to begin these conversations by learning more about a person’s personal background. Can you describe your position here at CDD and what your goals are in this position?

LARVIE: My current position is described as the Coordinator of Programs. I have worked with CDD for over seven years, starting in 2001 and serving as the Senior Program Officer with particular responsibility for elections and election observation in Ghana and elsewhere in Africa. I have experience as an election professional from my prior employment in the Electoral Commission of Ghana. In fact, I happen to be the first public relations director of the Electoral Commission of Ghana in the Fourth Republic, that is, since 1992.

I worked with the Commission till 1997, after which I moved on to work with other election groups. I worked with the International Foundation for Electoral Systems (IFES) on a civic society capacity-building project for three years, and then moved on to CDD, where I have continued with my interest in elections and election observation. I have had the opportunity to put together domestic election observation groups for Ghana’s elections in 2000 and 2004, and am arranging the third one in 2008.

Indeed, in 2004, we did quite a large job with over seven thousand observers on the field. Beyond Ghana, I have also done similar work in Sierra Leone, Nigeria, Liberia, Cameroon – sometimes twice or even thrice in such countries where the civil society groups were desirous of watching their own election and needed training. We trained them in the best practices, learning their expectations along with the reality of the country’s situation and its expectations of the civil society. Over the years, we have conducted such training successfully, with the last election that we trained and observed being the Nigerian presidential and parliamentary elections of 2007.

MCCANTS: Most of this interview will probably revolve around your work in Ghana, but we welcome comparisons to the other elections that you have worked on. Very briefly, what would you say are the biggest challenges that are arising in this election environment?

LARVIE: The challenge is simply that because there is increased enthusiasm, there is increased participation. We have the challenge of the political parties going above board, sometimes doing the wrong thing. Vote buying, harassment, and intimidation have not been completely removed from our electoral process. In the build up to the 2008 elections, it looks like the work of the political parties is more on the side of intimidating and harassing the voters who are interested in the elections. The electorate is coming out in large numbers to do one thing or the other.

The two parties that are particularly interested, or that are recognized as strong contestants for ruling Ghana next year, have many followers. Moreover, they...
have been able to push their followers to the limit, to engage in activities that are not exactly correct through intimidation and harassment, bossing people into doing things which are not correct according to the regulations. This seems to be the main challenge. Whether the electoral outcomes will be as fair and free as people hope in the face of such harassment tactics is something that remains uncertain.

MCCANTS: How long will the electoral process take or has it taken in the past from the first planning discussions to the release of the final count?

LARVIE: Our electoral process, at least practically, begins when the voters’ register is compiled. We have, for now, skipped the demarcation of constituencies and the legal framework because we have statutes that we are already used to using. Hence, for practical purposes, our election process begins with the registration of voters. In Ghana, we have an added activity this year: voter ID replacement. ID replacement is a routine procedure: if you lose your voter ID you go apply and then get a replacement. However, in the past this has not happened as smoothly as it should have. As a result, this year, the Electoral Commission set up a window of two weeks to have voter ID cards replaced for those who have lost them. So that was the beginning of the electoral process for the Electoral Commission. This will be followed by the limited registration window referred to as revision of the voters’ register. It is not a full scale compilation of a voters’ register but it is an add-on to the voters’ register of 2006.

The revision will lead to exhibition, that is, a display of the voters’ roll in order to do corrections and deal with objections and challenges leading to the nomination of candidates. The candidates will need these registers for nominations. When that is done then we work towards the election day. Election day is December 7. All things being equal, that will be the election, and then we gather the results. We will know the results of the parliamentary elections almost immediately when the counting and collation of votes is done. For presidential elections, we have generally needed about three days to get all the collated results from the 230 constituencies.

Hence we will have released the presidential results in 72 hours (three days). That will be the normal run. But there is also a provision for those who have a problem with the results. That is, those who have petitions to address have 21 days from the declaration of the results to deposit their grievances in the courts. In the case of the presidential results the depository court is the Supreme Court and in the case of the parliamentary results it is a High court.

Another possibility is inconclusive polling—if the results are inconclusive: for the presidential election, if we do not have a winner that takes away 50% plus one vote of the polls, we have to go to a runoff. We have a runoff 21 days after the election, so in this case, it would occur on December 28 if needed.

On the contrary the parliamentary election is first past the post but if you have a parity of results, that is, two people winning since they have the same count of votes, then that also calls for a runoff. In this case too, the runoff will be done on the 28th of December, that is, 21 days after the election. That is the other activity that happens. If it is inconclusive they continue until it becomes conclusive. All this comprises the electoral process from the Electoral Commission’s point of view.

But there are other processes from other stakeholders such as individuals/groups involved in civic education or political parties. For the political parties,
campaigning, and then electing or selecting candidates can start as soon as they are ready to do so. This year the campaigning or the selection of a presidential candidate for the opposition party, NDC, National Democratic Congress, started in 2006, followed by the other parties including the ruling party, the NPP (New Patriotic Party). That was early this year. But that means that all the talk about ‘vote for us’, ‘we are the best’ and the campaign started much, much early. Other parties have joined in the race. I hear we have about 13 parties now and about seven of them have declared their intention to have their candidate run for President.

As the parties begin to canvass votes, civic education also begins. In Ghana there is a constitutional body which is mandated to provide civic education, but that does not preclude any other civil society organization from providing education on voter attitude and civic education. However, anyone wanting to provide civic education must collaborate with the National Commission for Civic Education (NCCE) and with the Electoral Commission (EC) on voter education. So, civic education has also been going on.

MCCANTS: Can you describe the decision process that produces the final schedule or describe how the schedule is amended as the process moves forward? Are there any concerns expressed about timing and the sequencing at the time these issues are discussed?

LARVIE: Well, there is a legal framework from the constitution through to statutes and regulations that gives sufficient authority to the Election Management Body (EMB) alone to fix schedules. The election/polling day is fixed by the Electoral Commission, it having been authorized and mandated by the constitution in Articles 63 and 112. Reading both together allows the Commission to fix the dates of election so that it would read well with the next government, the handing over and so on.

The calendar of activities again is again determined by the Electoral Commission, taking into account provisions in the current law about how long the election be finished before the handing over. For now, the Electoral Commission has a rule fixed on three months, 90 days, for all the activities (including the nomination of candidates) to be done before election day. Even if you have 30 or 60 days before election day, that’s fine. In the extreme you may only need to have two weeks, but because there are several other intervening activities, the Commission has judiciously decided that most of the time it is best to provide a three-month window.

So, for example, the limited registration of voters was expected to have started in May this year so as to allow for nomination of candidates in September. From September to December would be enough time to do all the intervening activities. But because it did not happen, the registration has had to be postponed or rescheduled for a later day like this August. Now the nomination of candidates is going to happen later in September. We have up to the 29th or 30th of September, a date that still leaves the Electoral Commission clear and free from having offended any law because there would still be some two plus months for election.

Therefore, it is the rules and the regulations in the constitution that regulate how the Electoral Commission designs the election calendar.

MCCANTS: Do you have any general advice to offer people in similar settings about the timing and sequencing of elections?
LARVIE: The timing and sequencing of elections is important because a free and fair election is not only a credible election, but it is also a regular election at known intervals. Without regular elections, you could do an election for a five-year term and then not wait five or six years after that before you prepare for another one, or you could hold another one much earlier – as happens sometimes in countries where you can call an election any time depending on the performance of the government. For small countries, and particularly in Ghana, timing is regulated by the rules, the constitution. For instance, you do an election for the four-year term. As soon as the term expires a new government should come on. We have not had any major quarrels with this system. In fact, we love it and want it to continue. Nothing should be done to either exceed that term limit or end it before the time expires. I think that is good. We have done four successful elections in the Fourth Republic. We are on to the fifth one. We didn’t have any particular argument about the timing.

MCCANTS: I’d like to speak about the legal framework of elections here. Could you talk a little bit about the choice of electoral systems, and explain how this particular system was chosen?

LARVIE: This system, which is both presidential and parliamentary (a mix of the two, really) has actually been what we have been practicing in this country over the years except maybe the beginning when we got our independence and were led by Dr. Kwame Nkumrah. Then, our system was almost a one-party system and there was always one President to choose. But after that, since 1969, we have had what you could call liberal, democratic, constitutions where term limits were set.

In 1979, there was a coup and that first coup was followed by another one in 1981 which brought us to 1992 where we had the first elections in a new fourth democratic republic. So all these experiences gave us the needed impetus to work on our laws, and our laws right now are that every government stays in for four years, can stay on for a second term but cannot go beyond a second term.

MCCANTS: What about the choice of whether to use the first past-the-post system, a proportional representation system, an alternative vote system or some other set? How was that electoral system chosen?

LARVIE: The electoral system was chosen as the best because our traditional system is discussion; you have to discuss to arrive at the majority, and the majority people/voice will always win the day. This is the system that we know. We do not know any other system such as proportional representation, even though some people, some politicians called for proportional representation in the first elections in the fourth republic, it did not receive a lot of interest from Ghanaians. If you’re good, you’re good and you must be able to bring the whole country with you. We do not take the good with the not-so-good, we only take the good.

Moreover, our political parties are not sectional parties or tribal parties. They are supposed to be country-wide parties and have representation throughout the country. Therefore, if you win an election, it is understood that a good majority of all Ghanaians want you: they adore you and they want you and your policies and your ideology.

MCCANTS: What kinds of considerations influenced the choice of the first past-the-post system? For example, what weight do you think the interests of key parties or culture or tradition or the international community had?
LARVIE: I've said this before, but in our cultural system, we do things by discussion. Whichever opinion is most accepted by the majority of the population is the opinion that goes. The answer to whether this was dictated by outside influence could be either true or false. If other countries are working on democratic principles, they in turn bring about peace and stability in other countries. So as I said, it is not a new thing, but a wave of democracy just gives us more emphasis that this is the way to go and we have gone this way without any regret.

MCCANTS: What about the other laws and rules that govern eligibility, registration, voting procedures and other matters? Are there any distinctive challenges or problems or opportunities that shape the development of the legal framework with regard to those regulations?

LARVIE: Well, the regulations have kept improving or changing in the wake of international standards, and in the wake of our own growth as a country. For example, when you talk about who is eligible to register and vote as a Ghanaian in an election, we used to have the age limit at 21. However, times have changed and we have a larger number of youths in our population who have learned and can make decisions quickly. As a result, we reduced the age limit from 21 to 18. Since 1992, we have used 18 years as the downward cut-off point for Ghanaians who want to register and vote.

For Ghanaians who want to be voted for as a parliamentary candidate, the age limit has again been at 21, and has remained so. The base limit is 21 but any year after that is acceptable. For President the limit is 40 and it can be anything after 40, just not below it. The question as to why these ages or these limits are set can be debated over and over again. Somebody at 40 is understood to be quite mature, can make decisions for a whole country that includes his parents, his juniors and his fellows etc. But anybody at that age who understands life will know to take help and listen to advice, will be firm enough and take decisions to move the country forward.

Similarly, even though 21 years is far lower than the required age for the President, it is an age of maturity, an age at which people can be used as representatives, to run errands for their constituency. In my opinion, we have done well within these age categories, for voters, for presidential candidates and for parliamentary candidates so far. We haven't had any major problems. You go into some seminars and meetings and if you bring up the subject of the age of the President, some youthful people will say that the presidential age should be brought down to even 20 or 21. They think that they as youth studying in universities should have the chance to lead this country. But these are things we laugh about all the time. To put it simply, nobody has gone to court to challenge why he shouldn't be President at the age of say, 18 years.

MCCANTS: Could you describe some of the features of the laws that govern the conduct of elections here that you think make this electoral process distinctive?

LARVIE: There is the transparency which is built into almost every stage of our electoral process. That is the one word and feature I would point out because for voters, the electoral process has transparency. The political parties have the authority to send their representatives where you are registering people to vote. They have the authority to recruit people who come from the constituency or even from the community where the registration is taking place with a view to their knowing the people very well and their deciding who actually qualifies to be a voter. Whether the person who applies to be registered is telling a lie or not, the party agents are there to challenge or to accept. This has also worked very well.
Sometimes, there are people who come from outside the community. This introduces a slight problem since they are not known by the party agents from the community who challenge their registration, but occasionally our laws say they are residents or they hail from the community. If you are originally from a constituency or community but are not a resident, you are allowed by the law to register to vote. So occasionally, we have some such problems and challenges to face.

With respect to transparency, we have it particularly at the polling station on election day, where party agents are present to observe the polls and the process of the voting itself, the sorting of the ballots and the counting of the votes along with the collation and declaration of the results. The collation and declaration of these votes is at the collation center which is the constituency center. There is no stage of the process where things are hidden from the parties or from other stakeholders. In fact, at the planning stage, we also have what we call the Inter-Party Advisory Committee (IPAC) taking part in the decision-making. These are political parties that come together to discuss issues of an electoral nature with the Electoral Commission, and to offer suggestions which the Electoral Commission may or may not take depending upon what the laws and regulations suggest concerning the Commission’s behavior.

All this makes it difficult for anybody, political party or not, to say they weren’t involved or were cheated. The process gets everybody involved. It is rather the so-called government that may feel jealous that nobody involves them beyond the provision of money. Nobody involves them at all, they are not really needed. The process is a process for the stakeholders, the main ones being the EMB and the EC, who decide what do according to the regulations and laws. The political parties can come on aboard if they are unsatisfied, and the Electoral Commission can change its procedures if it wants to, since doing so does not necessarily change the laws.

For example, the Electoral Commission says we’re going to register you in ten days. At the end of this period, they may find that, because of certain problems (obtaining materials etc) they are not able to register everybody according to the time. They are not even able to calculate precisely how many to add. Because of this, they give two more days. That is a variation that the Electoral Commission alone can do. They cannot be dictated by anybody else.

MCCANTS: Can you describe how the Election Management Body was established?

LARVIE: The Election Management Body that you see now is a constitutional body. It has been established by Article 43 in the constitution that establishes a body which has seven members. The leading member is named as the Chairman of the commission. He has two deputies, one is for operations, and the other is for finance and administration. Then there are four more members who have different responsibilities, particularly in zones of the country – we have ten geographical, regional zones in this country. These four members plus the three in the executive position more or less demarcate the country for their responsibilities. They visit their zones and all the election officers on the ground. The technocrats on the ground report to these commission members at any time.

MCCANTS: Who makes the appointments to the Commission?

LARVIE: There are two levels of appointments, the commissioners who are appointed politically and then the administrative staff which is technocratic and recruited
administratively. The appointments at the top are made by the President of the Republic but on the advice of the Council of State and parliament, who will screen them. When they are successfully appointed, the Chairman of the Commission is considered at par with a judge of the Appeals Court. His deputies are also considered as judges of the high courts, and the other four members are placed at a level decided by Parliament.

These people are insulated from any caprice or attempts by the government to remove them. They can be removed only when they have seriously misbehaved by impeachment. Aside from that, they do not answer to anybody or let any party dictate them when it comes to running the elections.

The other level is the appointment or recruitment of technical officers, district officers, regional officers, head office, and line department officers. These appointments are made by the Electoral Commission itself, with some help from the Public Service Commission. The Electoral Commission thus decides which areas of expertise they want, and doesn’t have any executive interference as such. It exists as a public service, which is why we have a Public Service Commission representative on the panel whenever they do the interviews to pick officials.

MCCANTS: Where does budgetary authority for the Electoral Commission rest? Can the executive branch alter or withhold allocations?

LARVIE: No, as far as I know, the Electoral Commission runs its own budget. They prepare their budget, then they present the budget to the full house of Parliament for approval; they don’t present it to the executive. Parliament will make whatever comments it needs to. But invariably, the budget must be approved and provided for the election. There are two types of budgets, the administrative/running budget, and the project budget. The two of these are prepared separately, particularly in the election years. We have two categories of elections in Ghana, local government elections and national elections. All these need budgets so commission prepares the budgets.

MCCANTS: How does the Electoral Commission try to maintain transparency?

LARVIE: As I’ve said earlier, the Electoral Commission works with all the stakeholders — the political parties, media, the education bodies, civil society — and allows election observation. With the security agencies their doors are open. I know because I’ve been there and I also know because I’ve been at the other end, as a civil society activist working together with the Electoral Commission to see the inside of the operations during elections, and no one in the EC has turned me away. This transparency is a big plus for the Electoral Commission, opening the procedures and processes to all Ghanaians.

MCCANTS: Are members of the Electoral Commission required to report on their personal assets?

LARVIE: Yes. When you are appointed as a public servant, especially in such high levels of public activity, the Electoral Commission higher ups, especially the seven commissioners, are expected to declare their assets just as any other public servant would be. They, as a Commission, are not expected to run for office themselves since they are refereeing elections. The EC commissioner can vote, but cannot put himself or herself out to be voted for.
MCCANTS: What other agencies and organizations are also involved in the electoral process and are they insulated from partisan interference?

LARVIE: Yes, there are security agencies (the police) to make sure everything goes right, to ensure the enforcement of law and order in the electoral process. There is the Electoral Commission itself, the civic education commission which is also a constitutional commission, the National Commission for Civic Education. There are also civil society NGOs, CBOs (community based organizations); several of them are interested in democracy and the pushing of rights. Human rights groups are involved, and of course, there are the political parties. One can always argue that the parties cannot be as objective as we think is necessary for fair elections, since they are, after all, participants who have a special interest in grabbing power and will do whatever is necessary to get power if they are not watched. But if they are watched and the rules are applied, they might also find it difficult to just go and do whatever they want.

These are the main groups and agencies that are generally interested in the elections, and include even investors and think tanks.

MCCANTS: Are these groups insulated from partisan interference in your opinion?

LARVIE: Apart from the political parties that can be interfered with at any time there are rules and laws and regulations that keep changing, depending upon who is making them and so on. The other groups — civil society, civic education groups, the police etc — these all have their own laws and rules of behavior and on the whole they have kept in the middle and not been controlled or dictated to by partisan interests.

MCCANTS: If you were providing advice to somebody in another country about how to build an independent electoral commission, what particular challenges would you tell them to be alert to?

LARVIE: Funding. Funding can be a pretty tedious challenge because even though the Electoral Commission is expected and should be nonpartisan and independent, it does not control its own funds and in many countries, these expenses are public expenses, built onto what we in Ghana call 'the consolidated fund'. This fund is invariably controlled by the executive. The executive knows that they have to release funds from this fund according to what Parliament says about the Electoral Commission budget. Sometimes they can give excuses about having insufficient funds and being unable to provide the required amount. You may want to look into the fund yourself to see if they're telling the truth, but it is a very tedious process. So that is the one big snare. Such issues of funding are the first problem in building an independent Electoral Commission.

A second problem is the appearance of partisanship in the appointment of people or persons on the board. It is always difficult to say that a particular individual is totally nonpartisan. He may have certain leanings toward certain ideologies, certain political parties. But in their day-to-day work as professionals they may be upright and unbiased. That is sometimes difficult. Even the political parties, the EC, the electoral commissioner we have now, were all originally appointed by the NDC government in 1993. The perception is that because it is this government that appoints these people, they may be in cahoots with its people. But it is your own performance as a commissioner, as a collective commission that could vindicate you. So far, the performance of those people who have been put there as commissioners in Ghana has vindicated them as upright, as nonpartisan and as professional in electoral administration.
It may not work in other countries as easily as we are trying to work it here. It depends upon the caliber of the individuals put in the Commission. If they understand democracy and they are committed to upholding democratic principles it might work.

MCCANTS: Do you have any advice about how to address the challenges of funding or of partisan appointments based either in the experience in Ghana’s elections or your expectation in other places?

LARVIE: Yes, for the problem of funding, but it is difficult. What some people have suggested is to establish an endowment fund for elections so that whatever revenues come from the state, a certain percentage will be put in an endowment fund specifically to fund the electoral process, thereby ensuring that the Commission will not have to go cup in hand begging. Instead, they will use whatever is in the endowment fund.

For the partisanship of members on the Commission, that is a tough one but you must look into your community, into your society. You will have to look out for individuals who love their nation and want to work for their nation, not necessarily for particular ideologies. Those who understand the meaning and worth of freedoms and human rights. If you comb your community or society, you are likely to get the support — you will definitely have such individuals — but it takes a lot of work.

If you are just comfortable with people who sing the same song as you sing politically, you’re doing something wrong. Even if the person is a close friend whose support could be useful to you, he might not be the best person to occupy the chair. It really does take a lot of hard work to get the right people.

MCCANTS: Can you tell me about a particular success of the Election Management Body?

LARVIE: This Election Management Body?

MCCANTS: Yes, this Election Management Body.

LARVIE: Well, I’d say they have been successful for many years.

MCCANTS: In this election?

LARVIE: Yes, in this particular election. They have been successful in the replacement of the voters’ IDs. At least they have asked people to have their voter IDs replaced. They are being successful in not dictating to the political parties how they should go about their primaries, so long as these political parties have their own constitutions to abide by.

The Commission comes in to make a comment only when it thinks the political parties are not following their own constitutions. It is opinion, free opinion. They are not very heavy-handed on anybody. They have only applied the rules at the appropriate time when there is a need for a sanction. And it is the rules that do the sanctioning, not the Electoral Commission. For example at the stage of nominating candidates — what the Americans call qualification — to run for a position, the rules are that you should have a set number of people to propose you, to second you and to sponsor you. Whether or not you do that well can be checked. The candidates also need to be Ghanaians, they need to be registered.
voters. If they’re registered their registration ID number must be provided. All these are checked. Once it is checked, it’s fine.

If it is checked and there’s a problem with a candidate’s information, you leave the problem to the general public to address. For running mate for example, the presidential candidates choose their own running mates, but as they file their nomination papers the running mates also file their affidavits, their statutory declaration. What you have said in your form about your qualifications for this position is taken to be true and remains true until proven otherwise. The Electoral Commission, even if they immediately know that you are telling a lie, will not do anything. They will wait for you to go through and allow any other Ghanaian, any other interested person who knows you and knows that you are telling a lie to go to court. It has happened a few times in our country where people have gone through the stages to be in parliament. Their constituents come back several months afterwards to lay a petition that such-and-such a person actually did not qualify because he does not belong to our community. He does not hail from there. He is not of this age; he is bankrupt and so on. All those things that are known don’ts, they can bring them up against you. Without the Electoral Commission, they go to court. In fact, in some of the few cases the courts have upheld the wish of the people and called for a bye-election.

MCCANTS: What kinds of financial accountability structures are in place for election officials and has there been a problem with the use of resources for personal purposes?

LARVIE: Conducting the election and civic education are serious responsibilities, the mandates of two main constitutional bodies. The Electoral Commission, beyond
doing voter education, also do the electoral register. They make the plan and conduct elections and referenda. They sometimes also hold elections for public bodies and organizations. They demarcate the constituencies, the electoral boundaries on the advice of the constituents. These are the four main areas where the Electoral Commission works.

The NCCE also works as an independent body bringing civic education and constitutional rights, the rights and responsibilities of individuals to the attention of the general public through programs in, for instance, capacity building or sharing information. These two are quite independent. As I indicated before, several other organizations perform similar functions such that the message that is sent out may be the same message. There will be no differences in the message that you send by group A that is sent by group Z.

It is where you see discrepancies that you can possibly identify people who want to communicate other messages, partisan messages other than the ones coming from these two bodies. In our training programs we always advise that any groups that want to carry out voter education are welcome, but they should take their information and data from the Electoral Commission.

MCCANTS: How are the messages crafted? Some messages are instructional, some might be motivational. Who is involved in the development of these messages and what considerations do they take into account?

LARVIE: Well, the messages are basically messages taken from the laws and the constitution. The procedures of election, for example. The constitution talks about the rights of the individual, the responsibilities of the individual, the need for a government and why you keep the state and so on. These general principles are used to craft the message for the election and civic education. The message is disseminated through different channels, including posters, radio messages (what we call jingles), face-to-face, street announcements, and the organization of workshops where people sit and learn and ask questions.

The crafting of the message is by professionals in these organizations. They take the principles and they craft socio-cultural messages that explain these principles.

MCCANTS: At what point in the process are these messages released?

LARVIE: At all the points, depending upon what is relevant at the particular point in time. When you are doing the voters register, which, as I indicated, is the first door to enter the electoral process, most of the messages are about why you should register and how you should register. When the exhibition of the voters’ register is occurring, for example, the message is on why you should go and clean the register and how to clean the register. When you go to clean the register, what are steps you take and the procedures involved? For party campaigning, messages are about who should do the campaign, the type of language that should be used, and the issues with the constituencies that are necessary and important to address. These are the issues to be raised, and those which are to be avoided, such as ethnicity are pointed out.

If it is election day, appropriate messages will be sent, providing information, for instance, on how not to do a good election, how not to mark the ballot properly, how not to do a vote count and how to release of the information and where to release the information. All these messages are given as part of the continuous electoral process, from the beginning to the end.
MCCANTS: How effective do you think this voter education is and how would you measure that effectiveness?

LARVIE: Effectiveness is important. It depends upon the response and impact your education has had on the general public or the voting public. There is always a criticism in Ghana that civic/voter education is not timely enough and does not contain much to alert the average voter to do the right thing. But from my experience, such education has been around this country on several occasions, either as institutionalized information sharing or as an inter-community, inter-communion, person-to-person, or place-to-place venture. The publicity, at least, is there. Civic education is in three forms: the publicity itself, the content, and finally the change in the attitude of the person who is receiving the education. All these three are achieved to one degree or another.

Publicity mainly in Ghana is done from person-to-person. That is why you will see the registration process which is going on; you have a lot of interest and a lot of patronage. Unfortunately, the content isn’t that great because people go for registration either not knowing exactly what to do or actually knowing what to do but deciding to do something else because of their other needs. I was talking to a radio station this morning, and we were discussing the need for voter registration, the need for the card, and for people to go and vote on election day. But we also recognize the fact that many people went to collect this ID card because of the absence of good national ID in this country. Wherever you go to do official business you are asked to produce your ID card. The most ready ID card is the voters’ card. Therefore everybody who doesn’t have a card of identity now prefers to have the voter’s card, even if they aren’t necessarily going to vote. That is why I say there is something missing in the content of the message; it isn’t exactly getting down to the people.

MCCANTS: Are there any groups of people that prove particularly hard to reach with information and what steps are taken to fix that?

LARVIE: Well, with the exclusion of the internet, a lot of radio stations and newspapers and TV put out a lot of information. Then you go from that level to person-to-person, to families and schools. School children come home and they educate their parents and siblings. But if you mean which constituency is really hard to reach, this may be the constituency of the very deprived, such as the disabled who may, not because information cannot reach them, but because they may not have the means to buy the information – means such as small radios. There are also very remote communities, such as farming or fishing communities that are so far in the middle of nowhere that they may not be able to access the information. However, such constituencies are few and far between.

MCCANTS: If you were going to give advice about how best to convey information and messages about an election in a similar setting, what advice would be at the top of your list?

LARVIE: I would say do the best. The first option should be to put your information on the airwaves. A lot of information. But also put it in a language that the average person can understand. Break it down to the basic level, communicating the important ingredients of that information. Let it go around on the radio. Since you need feedback, get as many people as possible to do person-to-person training or interaction, where you train people who also train other people to send the information around. This adds a personal touch, but will be helped by the radio message because, as you know, when you pass message from one human
being to another there are likely to be changes – what we call noise – in the message. The radio message helps prevent an excess of such noise, even if it is only one source. All this should help in the dissemination of information.

You can also give information to schools. All of us have children, and school children educate their parents a lot.

MCCANTS: Can you describe the use of election monitors in this election and the goals for monitoring that have been established?

LARVIE: Election monitoring has been very, very important in this country. I'm not saying that because I coordinate election monitoring, it has just been useful. When you're talking about confidence building in an electoral process, no other system can guarantee that. Domestic observers, watchers who come from their own communities, who say that I need to know, I know what they're supposed to do, they're doing it right, or they're not doing it right. If they're not doing it right, try to right it before it goes wrong. We have done that over the years and we see that sometimes we go out there—the average voter in front of the party people, the left and right party people who are looking after the interest of their own candidates. When the voters come into that polling station environment they are looking for somebody's oversight, somebody who is in the middle and that is the observer. They want the observer to be there before they do what they want to do because they don't want anybody to punish or hurt them in any way.

So election watch is a deterrent against manipulation. But it is also a confidence building mechanism in the ownership of the electoral process by all the people. A very well trained election observer is interested not in the results that come after the election, but whether the process has been followed correctly according to the rules and regulations that attend that process. Because of that, they enjoy a lot more respect even than the political party agents.

MCCANTS: How do decision makers determine how many monitors are needed or how much monitoring is necessary and have there been both short-term monitors and long-term monitors?

LARVIE: Since 1996 we have done long-term monitoring as well as short-term monitoring. Here, we describe long-term monitoring as pre-election observation, where you observe all the processes starting from where the electoral process begins (the registration of voters in our case). We watch the process knowing the way it should be going, watch the personnel, the individuals, watch the stakeholders, watch even the timing and further watch the process in terms of what it will achieve. We have watched this over the months already, and will keep doing so until the day of election when we will also deploy more people to watch the voting process itself, from the morning to the end and to the vote counting and declaration of the results.

We decide how many people to send depending first upon what is available and secondly, on the areas we fear may have problems, based on previous and current experience about what is happening, considering the stance of the political parties and other players. Accordingly, we select people and train them. We also screen the people we recruit. They should be educated, they should be knowledgeable about their community, and above all, they should be absolutely nonpartisan. Absolutely, not in the sense that they should not have notions about which political party or political force is necessary for the country, but in that they should not be active politicians. They should not be candidates and they should not be party activists.
So we use these people and we train them. We recruit them from their own communities. Then we send them to their constituencies for the pre-election or even for election day. We do not exclude any region. We recruit from all the regions and we post to all the regions. The 7000 and over that we deployed in 2004 are certainly not enough to cover all the 21,000 polling stations on election day. So we do a sort of calculation. First we send some people to the very difficult areas. Then we send the others based on some randomization so that at least every region will be covered, even if it is only by one person.

Right now, as is usual for pre-election monitoring, we have 60 people out in the field. We started with 20 and we have increased it for this registration to 60. But in two of the constituencies – the regions in the north – we have a total of about just four; two in the Upper East and two in the Upper West regions. This is not because they are unimportant, but because we have limited resources and we need representation in these areas, particularly the violence-prone areas in the Upper East. In Ashanti and Accra, the big population centers, we send many more people than in other places. But all said and done, when we receive and analyze our reports, when we listen to what the political parties say in their reports, and when we listen and read from the media, sometimes, there are only very small differences. In other words, we are probably covering the whole country in the way we have used.

Election day is a busier time. Then, we cover a certain amount of polling stations, depending upon the size of each region. Apart from the troublesome polling stations where we deploy a few more observers; we spread out evenly.

MCCANTS: How does the Election Management Body liaise with observers? Is there a special unit that provides a liaison function?

LARVIE: Yes, we liaise with the Electoral Commission first, they are the main overseers. They know the rules, they make the rules, and they make the procedures. So if you want to train, you need to get information from them. Then when we are training we ask them to come and conduct some of the training and polling procedures themselves. Even though we are familiar with the steps involved, we don’t pretend that we can do the training for electoral process procedure ourselves, so we invite them to do the training. Then we need them for the accreditation. There are rules and regulations to be followed before you can be accredited. This is why we keep them involved from the start, that way, once we’re trained individuals sufficiently, and they have been there to witness that training, we can apply for accreditation cards for our observers. These cards are needed to provide our observers with the authority to be helped by the election staff on the ground. We haven’t received any untoward reports on that front.

When we do make our reports – whether it is the long-term reports which we do every month or election day, the hourly report or two-hour reports of what is happening – we send them directly to the Electoral Commission at whichever level. What is happening now during this revision? I as a coordinator have frequently called the Electoral Commission, the deputies and/or the Chairman himself. I can get their ears to tell them about what our people have observed happening wrongly or rightly. This is the cooperation we get from them, and they have been pleased with our contribution. It’s possible we should do more than this, but thus far, this is the essentially what we do; we don’t keep information to ourselves.
MCCANTS: So you at CDD are the primary link communicating between observers and the Electoral Commission.

LARVIE: CDD is actually, if you like, the secretariat of this coalition that we put together in the year 2000. We have a board of advisors for CODEO (Coalition of Domestic Election Observers), and we have other committees which are made up of representatives from the 35 civil society groups that we draw from. It is a loose coalition but when we call on any group that is within the coalition they quickly come to do their little bit. If we ask them to help with recruitment, they will do so. If we ask them to help draft the reports and give them the reports, they will read them through and draft you something. Essentially, it is a secretariat here at CDD that polishes everything before review and before the release of publications and statements etc.

MCCANTS: What monitoring methods do the observers use? For example, do they use a parallel vote tabulation where they monitor the count of votes at a random sample of polling stations and then communicate the results immediately to a central location? Is there another mechanism for parallel vote tabulation (PVT)?

LARVIE: No, we have not done parallel vote tabulation before as a scientific tool. What we have done is get sample statements of the results from as many sources as our monitors can send us. Then we look at them and draw a certain conclusion based on the likely outcome from patterns that we see. While we are most certainly interested in the final results, we are even more eager to see how the process has been peaceful and rich in integrity. For instance, we want to know who played a role in the process and whether they played their roles well. What about the timing of the process? What about the materials feeding the process? Who should do what and did they do it? If we have the time we would correct things, we would suggest corrections immediately before the day runs out. For instance, if materials are running short in some areas or if there is violence in another area we will inform the Electoral Commission quickly or even immediately inform the security forces if possible. This is all part of the bid of keeping the electoral process on an even keel that goes from 7 o'clock am to 5 o'clock pm. No problem, even no difficult problem cannot be solved that would impact negatively on the electoral process.

Complete breakdowns of cooperation are not unknown to me. If there is a complete breakdown, then we see the problem as one for us to solve. We haven’t done a PVT so far, but we are hoping to try it this year. It will not be a strange thing to us. We have stayed at the polling stations several times before. We have remained for the votes to be counted and declared. We have picked the clear results. We have gone to the collation center, the constituency center, to get the results. So we just put a little bit more into a scientific framework and we can do a PVT, it shouldn’t be difficult for us to do.

MCCANTS: Have there been any steps taken to prevent observers from being bought off in advance or threatened on polling day?

LARVIE: Yes, we take a number of steps on that account. As I said earlier, at the recruitment level, we try hard to make sure that those who we finally recruit are screened. They are not political or partisan individuals. If someone is, we put their name up and others will inform us. When we come to the training workshop, the first announcement we make addresses people who mistakenly thought that this was a party rally and have come in as a result. We work it out, paying their
transport fare to go back to where they come from. We have done so successfully in a few cases where people just stood up and left because these people happened to be candidates or very close activists of candidates known by political party chairmen and members.

This is exactly the procedure that is adopted even by the Electoral Commission when they appoint their returning officers and presiding officers. They will even go further to publish their names because they have the means to publish their names in the newspapers and ask for comments or objections from anybody. And they often get responses. In fact, they have chucked out quite a number on the basis of objections by political parties. The transparency, therefore, is good. The political parties are waiting for us to tell them who we’ve appointed, and they report their opinion, letting us know whether someone is good or not. This has generally kept us all from boiling over.

MCCANTS: What have been the overall findings of the observers for the registration period and do you agree with them?

LARVIE: The overall finding (which I went to corroborate myself in the field four days ago and just returned from yesterday) is that the registration, as a procedure, has gone on rather smoothly in many parts of the country. What has not been anticipated and therefore has not gone on as smoothly as one would have liked is the paucity of supply of materials which leads us to consider the possibility that the Electoral Commission didn’t do the calculation correctly. Most of the places we went to said that after the sixth day of the eleven-day affair, regular electoral materials were exhausted, especially Form A1 which is the main OMR data form that gets scanned into the register. They had to ask for supplies from the Electoral Commission offices from the sixth day to the last day in some places.

But I must also say that a few of the places we went to did not have any shortage at all. Even some of the rural areas did not have any shortage at all. They were still registering, giving cards out. We also suspect that the massive patronage of this event was due to people’s misunderstanding of the process, of who qualifies to be there and who doesn’t. We suspect that people whose names are on the main register went on to register again in the hope that doing so was an easier way of getting onto the register, getting the card that can be used for things other than elections. Others who have moved from their former residences where they voted the last time have also gone to register again. All these are multiple entries because the procedure is that you do not need to register again, you just apply a procedure which is called transfer of votes close to election. Here, your name in the register (where you were originally) will be transferred to where you want it to be and you can simply go and vote.

If your card is missing you can just go report it to the electoral office nearest you, and give your particulars. There was a fear that these two categories, plus the category of under-age voters who did not qualify since they were below 18, all moved into the process – possibly goaded on by political party activists who were just looking for numbers into the process – and registered, causing multiple registration that may hurt the final electoral register if it is not well cleaned. The cleaning process is later on, but whether this cleaning process will thoroughly clean the unwanted names from the register remains to be seen. On the whole, however, the enthusiasm of Ghanaians to do it was exhilarating, was very encouraging.

The procedure itself was good even though we suspected that some wrong people went in when we weren’t around. The last four days the Electoral
Commission workers on the ground devised their own methods of weeding out the unwanted, which was good.

MCCANTS: Is there any advice that you would offer to others about the use and the management of domestic and international observers?

LARVIE: It is important. Anybody who wants to carry out an election in their country cannot leave the election only to those people who are known as election administrators. Let others who, due to a love of country, also understand elections and want to watch you work. You cannot do it all alone. Those others must be sufficiently nonpartisan. They should be neutral and just interested in the process. That can add a lot of credibility to the electoral results. But when you are appointing or recruiting people who are themselves partisan, then the election observation exercise is crippled from the beginning. You have to do it in such a way that you remain on top of the fray and give your views or assessment of it as a disinterested citizen. [end of file 1]

MCCANTS: This is the continuation of the conversation with Mr. John Larvie at the Ghana center for Democratic Development. It is August 14th and the interviewer is Ashley McCants.

I want to discuss election administration. Can you describe how the National Electoral Commission recruits its staff members and its poll workers?

LARVIE: There are two levels of staff. We have the permanent staff which comprises the professional and national officers. Then we have the temporary or ad hoc staff which is staff recruited and trained for specific election projects. People on the permanent staff, as I mentioned earlier, are recruited as public/civil servants by the Electoral Commission itself, on the technical advice of the Public Service Commission. The Public Service Commission is a national commission that looks at public service recruitment. The officers on the permanent staff are pensionable officers. They work from when they were recruited until the age of 60 and then they retire. They can work on contract for additional years, but cannot work beyond the age of 65. The people in the seven-member commission, which I mentioned earlier, retire at 70. They are treated as judges of the superior courts.

The temporary officers come in different shapes and sizes. They come as registration supervisors or registration assistants for the registration of time. On election day, they come as returning officers, deputy returning officers or presiding officers at polling stations and also in the form of poll workers.

MCCANTS: How are these workers in the temporary staff recruited?

LARVIE: The temporary staff is recruited through the district election officers who train and screen these people, making sure firstly that they understand elections, secondly that they are sufficiently educated on what elections are, thirdly that they are Ghanaians and fourthly that they are nonpartisan and don’t belong actively to any political party active in their area of jurisdiction.

When they are recruited, especially at the level of the returning officers because they are at the highest level of the temporary staff, their names are published in the dailies. It is actually the returning officers who will declare election results at the constituency for the parliamentary election. So their names are publicized for political parties and other citizens to raise objections about their suitability as returning officers.
The presiding officers are also vetted by the returning officers since they happen to know them from the constituency or community from which they are recruited. As a result, there is a back and forth system of checks and balances in the recruitment, one that is sufficient for us to believe the officers will do a good job. There have been cases where some of the names have been challenged by the political parties, particularly at the returning officer level and such people have had to be dropped and others taken in their place.

MCCANTS: How are the poll workers trained and how adequate do you think that their training is?

LARVIE: The poll workers are trained by the Electoral Commission. It is a cascading type of training where the key training at the national level is done first, and then the returning officers train at the district level down to the poll workers. All this training is supervised and controlled by those on the permanent staff of the Electoral Commission, who know the laws, rules and procedures. The training is fueled almost every time by the training manual or guidelines at each level of the electoral process.

MCCANTS: Do you feel that this training has been adequate or do you think that there are certain areas—?

LARVIE: The adequacy or not of the training doesn’t show immediately after the training, it shows in the field. What I have said to the Electoral Commission is that they train very well but sometimes the challenges are on the ground, at the ground level where the officers are deployed. Sometimes, the pressure on the field compels some of these officers to do things in the wrong way just because it’s convenient. For example, they are trained not to allow anybody else to help them do their work, particularly party agents and observers. But our observers have stated, or have noted areas, where the election workers and registration officials are so overwhelmed with work that they allow party people to do a little bit of work and help them out, such as inking the finger for registrants who have been processed, or even allowing the registrants and observers to be so close to them as to access all the information on the voters that are registered. It is not in the rules that outsiders should help in the electoral process, but because of the nature of the training and possibly an insufficiency of trained personnel at the centers and the sites of registration, the ground officers are compelled to invite party agents and others to the job. This is the main problem I can identify.

MCCANTS: How is the performance of poll workers evaluated?

LARVIE: Well, I won’t be able to give you the full details on that since I left the Electoral Commission quite some time ago. Before they are deployed, poll workers fill or sign a declaration that they will abide by the rules and can be sanctioned if they do otherwise. They are monitored by the Electoral Commission permanent staff that is looking to do the monitoring all the time. But as to whether they do, everyone does what they are supposed to do very well, but wrong-doing is necessarily known until a case comes up against the process.

There have been a few such cases in the past, where a political party or a candidate has challenged the results and the returning officer is called in to give an account of what happened at the station, collation center or polling center. Yes, some of the returning officers and polling staff have been found wanting. They have occasionally lapsed in their responsibility and therefore caused certain problems. But if there are any more detailed things I’m sure the Electoral Commission on the ground today will be able to give you further information.
MCCANTS: What steps are taken to protect poll workers from threats and how well do you think those steps work?

LARVIE: I was just talking to somebody in the field before you came in on this. The poll workers normally suffer from threats if there is a problem. Threats from political party agents, threats from candidates, threats received from the police or the security agencies. They are not sufficiently protected from that. So what happens when such situations come up is for the electoral officer to just close the operation. Due to violence, they close the operation: suspend everything, pack up and go away. Sometimes they do so under threat of beating. In a few places, they have even been beaten and their materials scattered, and they ran for their lives. From what I know, here is no better protection than just leaving the trouble area.

MCCANTS: What other things do you think might be done or should be done to protect poll workers?

LARVIE: I think all poll workers should have full security protection. Where the police security protection cannot be given on a continuous basis, they should have telephone contact with the security setup that is closest to them. That way, if there are any threats to their security and the security of the process, they can call the police or even the military quickly to their assistance. I don't know of this being done currently. If you have a police officer or security officer attending to your registration or polling station you're lucky; if not, you have to run away if there is a problem. That's why I suggest that if you don't have the presence of a security agency, you should have a hot line or some sort of contact with security agencies such that you can call on them quickly for adequate protection or evacuation in the event of any mishaps.

MCCANTS: Can you describe how the boundary delimitation process has worked in this election, and who is responsible also for the determination of boundaries?

LARVIE: The Electoral Commission is responsible for the determination of electoral boundaries and boundary delimitation. We have not had any problem with this, which was done in 2004 when the constituencies were being increased from 200 to 230. The realignment of polling stations is done by the Electoral Commission if and when it's needed. For large registers—for example, if the registers are larger than 500 voters per register (as is happening now) they will do the realignment by creating a few more polling stations. That is directly left to the responsibility of the Electoral Commission.

Bigger boundary demarcation has to be done in consultation with the local leaders, chiefs and traditional leaders. This is to help reach a correct decision and obtain the correct information about where an electoral area should be, and where the chief town of an electoral area or constituencies should be. That does not matter at all now because the determination of constituencies and electoral areas has already been done in 2004, and there has been no delve into the matter except for the creation of new polling stations, which is done every time the register is bigger than what it should be.

MCCANTS: What kind of operational or logistical obstacles have been encountered during the delimitation process?

LARVIE: Generally when you're doing the delimitation process, especially the one that needs consultation with the chiefs and political opinion holders and the
community, there have been some tussles and struggles involved. Why not my place? Why not my traditional area as the capital or the head quarters? Why should I be merged, paired with another community? That community is not really on good terms with our community. Or, I’m bigger. I should be the capital town, that other community should actually serve under me. All these social and, political factors come into play. However, a lot of tact and diplomacy are applied to solve these problems before they go to court, such that very few of these problems have actually gone to court.

MCCANTS: Can you describe how the registration of voters is taking place in this election?

LARVIE: The registration of voters went well on the whole, with the main glitch that more people came out to register to vote than the Electoral Commission expected. Therefore the material preparation, the preparation of personnel for the material, the registration forms, the cameras, the deployment schedules and all that went completely out of gear with reality. There was a fear that some of the people who really needed to be registered may not have been registered because there was such a rush on the registration process. Plus, there were just thirteen days for the registration of people who have turned 18, or people who have not registered before for the two consecutive years, 2007 and 2008. The electoral commission had thought that these people would not number more than a million. The number of people that actually registered numbered close to 4 million according to our estimates, bringing a lot of pressure upon the system.

MCCANTS: Has this discrepancy been really due to miscalculation by the Electoral Commission or are there other reasons for this?

LARVIE: Other reasons, we suspect. We can only suspect at this stage that political parties who are running for election and hunting for votes have been compelled by their desire and ambition to go to the remotest villages and communities and drag out people who we suspect may not be qualified to vote or register. In other words, they have brought out youngsters who are actually younger than 18 years. They have brought out gentlemen and ladies from the villages who may have registered in earlier elections and whose names are therefore in the current voters register and do not need to come to register again. But we suspect that these people were pushed by considerations – monetary considerations and other goodies – to come out and re-register, thus increasing the number of voters on the register and producing multiple entries. So the voters’ register which we’re talking about now is 10.4 million roughly. In 2008, limited registration intended to add about a million to that, which would be about 11 point something million.

What has happened, although we don’t know the exact figures yet, has caused this register to have around 14 or 15 million entries. This is worrying because it is against the background of a national population census of about 22 million people. If we go by the United Nations calculations, the voters’ register should not carry more than 40% of the voter-age population (VAP), indicating that there is something wrong somewhere. Either our calculation as a country is wrong statistically for the census or highly wrong things have been done for the voter registration. People have just re-registered; multiple registrations have taken place in several places. Therefore we will need to clean this register somewhat before election day. Otherwise, the electoral outcome will generally be doubted by those who actually voted, and these people could have actually double voted. In Ghana, we are currently facing the problem of getting the register clean of these suspected multiple entries.

MCCANTS: You mentioned that this has been a limited registration exercise.
LARVIE: Yes.

MCCANTS: How was the decision made to have a limited registration as opposed to a full registration for this election?

LARVIE: In Ghana, according to our rules, we will build a voters’ register for ten years. You replace a full voters’ register after every ten years unless a population census has taken place within the ten years. Then you have to wait ten years. Meanwhile, within the ten years, the voters’ register that you have is revised every year, particularly when another election is nearing. We’ve had four types of elections in this country: the local government elections, the unit committee elections as well as the legislative, parliamentary and presidential elections. So year in and year out there always is a need to update the register before it is used for one election or the other.

This year, 2008 is just four years after when the current register was compiled in 2004. The first revision was made on that register in the 2006 elections for the local government level. Since the 2008 elections now are two years later, there is a need to update the register again, but it is not yet time to replace the whole register.

MCCANTS: You also mentioned that people who have already registered are being encouraged by parties to go and register again.

LARVIE: Yes.

MCCANTS: Are there controls at the polling stations to prevent multiple registrations, false registrations? What are those controls?

LARVIE: Yes, there are controls, but controls can sometimes be beaten. One control is that there are party agents from all the political parties who come from the community and who are expected to know almost everybody in their community, and be familiar with who may have already registered, who is actually underage, who is up to the age of voting and who may have died or who is new in the constituency because they have just moved from an previous constituency to their constituency. There are rules and regulations as to what you do if you move from a constituency to a new constituency, what you do, for example, if you lose your voter ID, and which ID is needed on election day for you to be accredited. There are procedures such that you don’t need to re-register if limited registration is taking place. You go to the Electoral Commission office and announce your loss of the ID card, announce your transfer from one constituency to another, and then the right things will be done. You will be given the replacement ID card or you will be processed through the transfer of votes on election day. So there was no need, and there is never any need to re-register. Re-registration in that circumstance merely means that you are adding your name again and again to the register which is called bloating.

MCCANTS: Are the registration lists published and posted and are there clear procedures for fixing mistakes?

LARVIE: Yes, there is a special list. When it is compiled we call it a provisional register after the capture of data. Then the provisional list is exhibited. That is, it is displayed to the whole public and political parties and everybody for inspection purposes. This is so that they can find or protest against wrong entries, or unqualified entries of people that must be removed from the register, entries of
people who have their cards but whose entries are not there, to send entries to be re-entered or for corrections to be made. So there are three levels. You add, you delete, and you correct. These are supposed to be done by all of us when the exhibition opens. This year, it is going to take place from September 15th to 24th all over the country in all the registration centers.

If that is done correctly then we hope that many more of these unwanted names will be weeded out of the register.

MCCANTS: Is this a different process from the cleaning process of the list that you described earlier?

LARVIE: This is part of the cleaning process. An earlier thing step is taken before the exhibition, which is the adjudication or regulation of all the challenges that we have that have been brought against registrants during the registration process. These can be challenges of not being Ghanaian or non-citizenship, challenges of not reaching the voting age, or even challenges of insanity. These are the three main things, Ghanaian, 18 and above and being sane. These challenges then have to be looked into by a committee. In every district, this committee is known as the District Registration Review Committee (DRRC).

This review committee is made up of political party representatives active in the area, the Electoral Commission officer as the secretary, a divisional police officer, a security man, a policeman there, and the education director in that district. There are about ten people that form the review committee and they look into all these registration challenges, and then resolve the issues. They will call the challengers and the challenged to attest to what happened. In their decision they may uphold the challenge or they may overrule the challenge.

If they uphold the challenge, then the challenged doesn’t get registered. If they overrule it, the challenged gets registered. In other words, when you were challenged while you were registering, your challenged registration is suspended at that point. Your information will be picked completely. Your photograph will not be taken for the voter registration ID card which entitles you to vote. So you are not a voter until the DRRC settles the issue of your challenge.

MCCANTS: How is the integrity of the registration list safeguarded after it is compiled? What steps are taken to prevent tampering with the register?

LARVIE: The register is a whole database and it is a centrally controlled database computer system. The register to be used on election day, on the table, when you go to vote, is a document printed from the database. It may not contain all the information that is picked from the field; it contains information that is just necessary for the voter to use. This includes the name, unique number, gender, and age. The bigger data contains information such as parent’s name, address and a few others.

MCCANTS: You mentioned material shortage. Have there been other logistical obstacles that have been encountered in this voter registration period?

LARVIE: I don’t think so. This isn’t the first time we have done it, but a few people have talked about difficulties of siting registration centers. The work stations and equipment to register people fully and issue them ID cards was not really of the needed number. So the workstations and the personnel have had to move from one place to the other; 2500 workstations were provided against twice that number. Therefore there was the need not to remain at one registration center...
but to move from one registration center to another and in some cases they combined more than one registration center. There are towns making up the registration centers and so the registration teams have to move from place to place. That was really difficult because they went to places where they spent a couple of days and there were other places waiting for them. Therefore people did not get registered fully before they left, causing some people to be left behind.

Moreover, those of us who make it a point to watch whatever is happening find it very difficult to follow the movement because the schedules get changed easily depending upon need on the ground.

MCCANTS: How has the Electoral Commission responded to the material shortage issue?

LARVIE: The Electoral Commission sent more materials, as many materials as they had under their control. Within the first five days, the first batch or regular materials were exhausted. What we heard from the field was that in many places where the materials were exhausted, some other demonstration materials were sent, especially the A1 form OMR sheet which were sent, which are the same forms but they are not regular forms. These forms were used as a stopgap measure so that when new forms were printed, information put on these registration forms would be transferred to the regular forms for scanning and for processing.

They also sent as many camera consumerables as possible. It came to a stage that they just didn’t have any more supplies. So what they did eventually was to move materials from places of low consumption to places of high consumption. Generally, as I said, the registration process was smoother in the rural areas than in the highly populated urban centers. In some rural areas, registration was slow; the materials were almost intact since they used only a little. Therefore, these materials were transferred to the higher population centers in the last three or four days of the registration process.

MCCANTS: How does the Electoral Commission decide on the structure of the ballot and who is involved in that decision.

LARVIE: If by the structure of the ballot you mean how candidates appear on the ballot, that is a procedure done transparently with the political parties and the full involvement of the candidates. Several methods have been used in years past. The candidates are listed onto the ballot chronologically, depending upon when they file their nomination time. If they file earlier, their name is listed earlier; if they file it later they come later on the ballot. But this method has been changed and the simple alphabetical method also has been used, starting with the names beginning with A and moving down etc.

The third method was picking lots. You come, take a lot, if it is number one you come first and so on. These are the three methods used generally, but I don’t know which method will be used this time.

The names of the candidates, the name of the party, and the logo or symbol of the party are the important things put on the ballot. Even if you are an independent candidate, your name is put on, and you pick a symbol given to you by the commissioner or suggested by you yourself, provided that symbol does not offend any other symbol or national symbols in the country.
LARVIE: Well, I would have just put people on the ballot according to the order they come in. In my opinion, you need to inject some discipline. If you come early, it indicates that you are really serious about your nomination. So I would like put people on the ballot chronologically according to when they come to register their names.

MCCANTS: What security features are used on the ballot, such as watermarks etc?

LARVIE: Yes, watermarks are used on the ballot, but more importantly, a unique numbering system is used on the ballot, a numbering system that is not known to anybody except the Electoral Commission. Even the political parties do not know this numbering system. You know this numbering system only when you go to the polling station on election day. The unique coloring of the ballot is agreed on by the printer and the Electoral Commission, and the color should be very difficult to fake immediately by anybody who might want to do their own thing. So unique number, watermark, ballot color, these are the features.

MCCANTS: Who prints the ballots and how is the chain of custody in the production, transportation, storage, and distribution guaranteed?

LARVIE: The ballots are printed by security press in the country. In Ghana, we have ceased printing our ballot papers from outside the country. We print everything in this country. There is a group of printers, government printers and other private high security printers. We print presidential ballots at a specific security place equipped with all the security apparatus, then we print the parliamentary which would is more often at other private security presses in this country, each of which have their own security in addition to the Electoral Commission’s security and national security.

MCCANTS: Are there ballots provided for special needs voters such as illiterate voters or blind voters?

LARVIE: Yes, since 2000, ballot strategies like tactile ballots have been provided for the blind, the disabled, and visually impaired voters. There is a tactile ballot jacket into which one feeds the numbered ballot paper. That is, the jacket has numbered positions with beads on. The first one is one bead to the next. So the blind voter with sufficient education knows that this is the party that is number three. Running his or her finger it, he or she will know which one they want and can apply the thumb print.

MCCANTS: Can you describe the system of polling centers and stations that is set up and how well you think that system works?

LARVIE: The system of polling centers works very well in this country. Polling is done from 7 o'clock am to 5 o'clock pm and polling is done in the open. There are four poll workers in the polling station; we do both the presidential and parliamentary elections on the same day and at the same polling station. The presiding officer is in charge of the place, though there are other personnel present. There is the inker with indelible ink, and the first guy who gives you the ballot for the presidential, and the last guy who gives you the ballot for the parliamentary.

As for the structure itself, you go to the first desk of the presiding officer or his assistant who you will show your voter ID card to and who will check your name on the register accordingly. He finds your name and your name is ticked. Then you move on to the inker and he puts indelible ink on your cuticle. Then you
move on to take the first ballot paper from the ballot issuer. From there you go into a polling booth with a screen where nobody sees what you are doing, and can only view your back. You put your thumb on the ink pad present, look at the ballot paper, select who you want to vote for, and thumb print next to the person you want to vote for. That person's name, that's person picture, that person's symbol. Then you fold the ballot paper in such a way that the fresh ink does not mess the ballot paper. After that, you move out where the ballot box is resting in the full view of everybody and you slide in your ballot paper folded into it.

You go from there to the next table where you receive the parliamentary/legislative ballot paper and you pass through the same procedure after which you finish and go home. You are not allowed to be in the polling station during proceedings. You go home after you've voted. You can return in the evening at 5 o'clock when the polling closes and the votes are being counted and listen to the results. Polling happens throughout. Nobody will stop polling until 5 o'clock. The party agents are there from the beginning to the end, along with the observers. The candidates themselves can make rounds and come too. Journalists are there and other people from the Electoral Commission are allowed to come and visit as well.

At 5 o'clock, when the polling ends, the votes are sorted and counted within view of the polling station, with everybody there, and then the results are sent to the collation center. The collation center is the constituency center where all the polling station results are added up by the returning officer and declared. Therefore, the first results announcement is at the polling station where the winner or the leading person is known, and then the second declaration is at the collation center where the winner of the parliamentary election is known and declared.

MCCANTS: How many voters are the polling stations configured to serve?

LARVIE: Excuse me?

MCCANTS: How many voters can be served at each polling station?

LARVIE: For now, it varies, but the average is about 500 voters in each register. It can be lower; it can be slightly higher.

MCCANTS: What ballot security measures are in place at the polling stations to inhibit vote fraud by election officials or political contestants? What measures are in place and how well do you think they have worked?

LARVIE: Well, the transparency of the process is not actually measured. You come to the polling station, you take only one ballot. Before giving you that ballot or opening the center, the presiding officer shows the inside of the ballot box to everybody who is there. He shows the ballot papers he has brought which are all already sealed, shows to everybody (including the observers and the party agents) that these are the numbers on this ballot paper, from the first number to the last number, thereby giving them all the information about the ballot process before opening the ballot papers in front of everybody and then beginning to administer the poll.

Then, the party agent’s role is to be able to challenge anybody who does not belong to that polling station or does not have his name there or may have voted somewhere else. It is for them to challenge and these challenges have generally worked out. The military or the police security is also there to take care of law
and order, where any disturbance that may be brought on by an unruly voter is taken care of. These measures sufficiently protect the security of the ballot. At the end of voting and the counting of votes, the materials and the results are transported to the constituency center in the company of the party agents who wish to come along, in addition to the security forces.

The party agents are given copies of all the polling station results and afterwards, all copies are posted on the wall of wherever this has taken place.

MCCANTS: Can you briefly describe how the Election Management Body regulates the role of political parties?

LARVIE: First of all, the Election Management Body holds meetings with the political parties within the Inter-Party Advisory Committee (IPAC). Beyond the IPAC, which is at the national, regional and district level, the Electoral Commission talks to parties whenever they have any problem. During training for registration and election day, the Electoral Commission trains its temporary workers together with the party agents that are nominated or presented to the Electoral Commission.

It is the same procedure, so both groups understand what exactly needs to be done at the polling station or registration center. This is the nature of cooperation between the Electoral Commission and the political parties.

MCCANTS: Do they administer penalties for infractions that the political parties commit?

LARVIE: Yes, the EC works on rules and regulations, but it does not necessarily prosecute or enforce those rules. The courts enforce the rules. For instance, the EC will correct any infraction at the polling station if there is necessary to correct the infraction of a voter who may not belong on the register and has come in to vote. That would be immediately corrected.

If such a thing occurs on a number of occasions at a particular polling station, the EC is duty bound to cancel the election or to suspend the election. Those issues are taken on by the EC. But beyond that, any other grievances and petitions that come up after the Electoral Commission has declared or has made an announcement of the results will go to court. For the presidential election, petitions normally go to the Supreme Court. For legislative elections, petitions will go to the high courts.

MCCANTS: Does the Electoral Commission handle the registration of parties?

LARVIE: Yes.

MCCANTS: Does the Electoral Commission play a role in vetting candidates?

LARVIE: There are two levels. The candidates are first vetted by their political parties before they go through the primaries. But when it comes to the nomination of candidates to contest the election, the Electoral Commission vets them by having the candidates fill out election forms where they give certain evidence about themselves, providing detailed information about what they have done and what they can do according to the laws of the country. For example, you cannot be a candidate for the parliamentary election if you are younger than 21 years. You cannot be a candidate for the presidential election if you’re younger than 40 years and also if you are not Ghanaian. If such information about you is discovered, you are guilty of treason and are not reprieved from that in ten years you can also not contest the election.
Therefore, the prospective candidates fill out forms and these forms are reviewed by the Electoral Commission. If there is any mistake on these forms, the Commission calls you to come and fill out but they do not prosecute you immediately. Why? Because when you come to file your nomination paper, you also bring an affidavit, a statutory declaration that everything you say there is the truth and nothing but the truth. Any other member of the community of this country, registered voter, or any other Ghanaian really, can use what you have said to take you to court or complain in court that you do not actually belong to the society, you are not a Ghanaian, not of age, are bankrupt, a jailbird and so on. You then go to court. The Electoral Commission is out of the process because you have deposited and said in a declaration that you have said the truth. Whatever punishment exists for your saying a falsehood is not in the hands of the Electoral Commission; it is for the courts to handle.

MCCANTS: Are political parties required to disclose their sources of revenue and expenses?

LARVIE: Yes, it is the law. Specifically, I think the law from 2000, Act 574, means that the political parties have to declare their assets, their infrastructure, their membership size, where they are in the country and how much they have spent on previous elections. Within a number of months, they must declare how much they have spent on the recent elections. So there is an account given to the Electoral Commission before, after, and between elections.

MCCANTS: What are the main methods that political party leaders use to try to reach potential voters?

LARVIE: Well, generally political parties and their candidates, and independent candidates reach their members and voters through messages of hope and development. But in our country there is also a suspicion that political parties and candidates reach the community, the electorate, through massive vote buying, where monies are given out to people to vote, or development projects may be assigned to communities which are not originally budgeted for, or employment opportunities may be open to some people and some communities in the hope that these communities are geared or can be geared to particular parties, especially the incumbent party. Therefore, there are several ways they use, some good, and some not so good.

MCCANTS: What about in terms of expense and the difficulty of the lack of infrastructure in some areas, or high fuel costs? How do political parties navigate through those kinds of challenges when trying to reach voters?

LARVIE: It is important to understand that there is some sort of distance between voters and political parties. The political parties send their message to the voters. The voters decide what to do. They decide whether to go listen to the political parties, and whether to go and vote. It is the right of the voter to decide on all this. The political parties also have a role to play to get as many voters as possible to understand their message. This balance exists the time. Therefore, you sometimes find not only political parties, but individual candidates who have resources, and use these too woo the electorate. They pay their transportation fare, give them food, sometimes buy goodies for them, roof their houses, build roads or do other things for them. This isn’t the right thing to do, or in compliance with our regulations, but we know that political parties do it.
MCCANTS: If you were going to provide advice to another country about steps you’ve taken here with regard to regulating political parties and candidates, what advice would you recommend to others?

LARVIE: I would say that the right of choice, the right of movement and the right of association have to be respected completely in any democracy worth the name. Political parties must be allowed to communicate their message anywhere in the country. There should be no barrier to any entry anywhere. Political parties must, in themselves, allow their members to run as candidates or voters. The political parties must also be controlled, they should be accountable for what they do to the people and to the laws. No political party or no individual is beyond the law. Once the rights of the individuals and the political parties are respected, vigorously, we might say that democracy has a chance to grow and flourish. But if these rules are flouted, the wheels of democracy are taken off, which is obviously not good for the country.

MCCANTS: I’d like to talk about the role played by various media in the distribution of information about the election process. Can you tell me about how the Election Commission or others charged with conducting the election employ the media such as newspapers, radio and television?

LARVIE: The Commission does make a use of media channels to a large extent. In particular, the radio stations are the biggest channel of communication because they're easier, they're in the local language, you don't have to buy any newspaper to read and also because there isn’t a significantly impressive reading culture in this country. We don’t read a lot. We listen, we talk. We listen to people who talk to us. We don’t sit down and strain our eyes to look at the printed message.

MCCANTS: At what stage during the election process and for what purposes does the Electoral Commission involve the media?

LARVIE: In all the process beginning with the registration of voters. In fact, the media itself is interested in all this. The electoral process makes a lot of news for the media, so it gets involved in all the stages. The media is also recruited to help the Electoral Commission and other information givers by conducting publicity, doing electoral process discussion programs and also through face-to-face discussion or information giving.

MCCANTS: How effective do you think the Electoral Commission’s media campaign has been in helping people to understand the registration process?

LARVIE: Well, they can do more than they have done, but most of us in this country generally take our information from the radio, and those of us who can read take our information from newspapers. Most of our knowledge of elections and the patronage of the electoral process is obtained from the media. We also learn through person-to-person interaction, but the media provides more correct and regular information. Person-to-person communication, as you know, may be adding to the information all the time. So yes, I would say the Electoral Commission generally uses the media.

In fact, they also have implored the media from time to time to do more than just repeat whatever they say. The media should do more by even inviting the Electoral Commission to come on their programs and by doing public service announcements for free. Most of our media, even the state-owned media, should not charge fees for publicity for voter and civic education, not only from the
Election which is a constitutional body, but from many of our NGOs. Currently, if you want to send information to the Ghanaian public through the media you have to pay an arm and a leg.

MCCANTS: What steps would you recommend to make these efforts more effective?

LARVIE: I think we should just appeal to the Ghanaian media to take their responsibility as information givers and educators, to help make this country what all of us want it to be. We cannot advocate beyond that, for instance, for something such as the Electoral Commission having its own radio station. The radio stations and media are there. Many of us understand what all we are doing for just one country, and whatever you (the media) can do to help, especially in electoral season, do it. It is not a long season, you just need to help and everything will be okay. So I don’t have any suggestions other than just appealing to the media to be more patriotic.

MCCANTS: Has there been an assessment of threats against the process in advance of the registration or in advance of the election?

LARVIE: With respect to threats, there are those in every country during elections who are afraid of defeat and will give threats. We have had threats in this country where people say if A and B is not done this country will burn. This country has not burned. A few people may burn themselves, but the country has not burned.

Take the registration that we are having as an example. Some parties say that if the process does not go this way or that way then they are not going to accept the outcome of the electoral process. These threats happen. But we have the political parties acting by themselves and the political parties signing their codes of conduct, which are moral bonds only. But we also have the security. We have our judicial system. We also have our chiefs and traditional elders. When things happen, people will not go to the courts first, but the social control system will call the protagonist and then settle the matter. So we have a lot of conflict settlement avenues in our country that we use to play down some of the threats. A politician will certainly threaten because he will be afraid of being cheated.

MCCANTS: Is there an assessment done before an election to assess what types of threats may occur and who might be the likely victims of those threats?

LARVIE: Yes, assessment is done, although there isn’t really a national assessment. There are a lot of groups that do assessments of violence of a political nature. We also know generally of electoral hotspots in this country. Hotspots by other causes than the election, hotspots of election-related programs. Then we pay attention to these places when we are conducting the election. We try to reassure the people there satisfactorily about the problems they worry about, but we are also on the alert to manage security. Should anything untoward happen in this space, the security forces will handle the situation.

MCCANTS: Who are the security partners involved in protecting the election process?

LARVIE: The national police. Sometimes, they come with assistance from the other paramilitary organizations, such as from the prison service officials, customs or preventive service officials. Sometimes they even get assistance from the military, but the military generally plays a role as patrols. They patrol all day. We don’t usually see them at the polling stations or exhibition centers, but when there is a breakout of violence or unruly behavior that cannot be contained by the police, the military step in to quieten things down.
MCCANTS: Has there been any dedicated training on security specifically for police and poll workers for election day?

LARVIE: Yes, there is training. The police administration gives the police officers who are detailed to go to the polling stations some security briefing. The Electoral Commission also briefs the police details about the electoral process; what they are expected to do at the polling station and what they are expected to do at the collation centers. This briefing has normally been done at all levels, including both the national level and the district level.

MCCANTS: Can you give me some examples of security problems that have arisen and how they have been dealt with? Which do you think were handled the most successfully?

LARVIE: Well, I don’t think I can remember any apart from problems of disagreements between political party representatives at the polling station level, which are easily dealt with by the security forces to separate any warring factions. We also know of problems at the collation center where some parties can get into an argument about what should be done, and the security people will normally control a thing like that too.

Some party campaigns can be very volatile, particularly when you have campaigns of two opposing parties in the same community, since party campaigns are very important exercises for the political parties. This can be a problem, but the police are always on hand to solve such problems.

MCCANTS: You talked in some detail earlier about the adjudication process by which election disputes are resolved after the election, that it goes to the court system. How well do you think the dispute resolution system has worked here? What have been the challenges and what has worked well?

LARVIE: Well one thing I’ll say quickly is that the election system and the adjudication system could have worked faster and better if not for the rules themselves which bar you from proceeding by giving a time bar beyond which you cannot file a petition. To get a petition for an election into the courts, you would certainly need a little more time to investigate and get your evidence. Twenty-one days is given after the declaration of the results is the timeframe given within which you should file such a petition. If you did not assemble all your evidence before the 21 days lapse, there is no reason for you to succeed in any court, whether it’s at the Supreme level or the high court. So that has been a problem for many who would-be petitioners. You need the facts. If you don’t have all the facts then you can forget about filing.

Secondly, even for those who have the facts and go and file, the wheels of justice grind very slowly. There are a few cases of an election petition in the parliamentary election in 2000 and in 1996, where the party that won and the candidate that went to Parliament, were petitioned against as not being the person who actually won the election. The petitioner was in court for four years, which is the life of the Parliament in which the so-called usurper was a bona fide MP and enjoyed privileges as such. The case didn’t get resolved until after the four years when the whole thing lapsed.

So there have been problems due to the slow wheels of justice and then the technical aspects of when to file your petition and when not to file it. But these are the only problems, and by and large, there have not been very huge recriminations against the law. Everybody seems to be comfortable with the
resolution of the election petitions. And the election petitions are actually resolved at two levels. When the Electoral Commission has already declared the results, you turn to the courts. But before the Electoral Commission declares, you can resolve your problems at the polling station level, at the constituency center level, at the Electoral Commission level, and at the national level, two, three, or four days before the final result is declared.

But as soon as the pronouncement is made and a winner declared, matters are out of the hands of the Electoral Commission. That is the system we have here.

MCCANTS: Can you describe the responsibilities of the Electoral Commission for voter and civic education and how its responsibilities are shared with other organizations or the National Commission?

LARVIE: Voter education is the constitutional responsibility of the Electoral Commission. They can do this with the cooperation of other civic education, voter education, and civil society groups, and they have done so frequently. Civic education, on the other hand, is the preserve of the National Commission for Civic Education. These two organizations do cooperate, particularly in giving voter education to the electorate before, during and after the electoral process.

MCCANTS: What kinds of coordination do the EC and the National Commission for Civic Education do in order to make sure that their messages are in line?

LARVIE: Well, they cooperate. Physically, they live in the same environment; they live in the same offices very close to each other. They share information. If NCCE civic educators are going to provide education, particularly on the electoral process, nothing more is required than to go to the Electoral Commission’s voter procedure and voting processes manual to use at the regions or at the districts. The two officials collaborate to educate the public, to educate the electorate, sometimes even on the mass media.

MCCANTS: Who is involved in the development of the education messages and what considerations do they take into account? For example, messages can be instructional, telling people what to do. Some can be motivational, others can be admonitional, telling people not to impersonate another voter. What considerations do you take into account?

LARVIE: Three things. The procedure, which entails what to do during the election, is the preserve of the Electoral Commission. How to do so is also the preserve of the Electoral Commission. Why you should do it at all is a civic education function. That goes to the civic education component of the NCCE. But you can crisscross. The civic educator takes information on what the process is about, then adds to it why the process is important and then borrows again from the EC in delineating how to do the process.

Similarly, the EC, while talking about one process, can borrow why the process exists from the NCCE. In this way, there is a mix of responsibilities.

MCCANTS: How would you measure the effectiveness of voter education?

LARVIE: Voter education can be said to be generally effective, but more can be done, especially in terms of bringing on board many more education outlets, particularly civil society, to cooperate with the education commissions (i.e. the EC and the NCCE) to bring more information to the remotest corners. It is not enough to just send information as publicity material to the radio or to the TV. It is important for
education to be interactive, where those you are educating also have the opportunity to ask for explanations, to probe deeper into what exactly the thing to do is. That has not happened as much as one would expect, on account of resources according to people. You just don’t have the resources to go to every nook and corner.

But if this is not done on a sustained basis, the fear is that the political parties can go behind and try to change the message a little bit to their advantage and to the disadvantage of the process.

MCCANTS: Thank you so much for your time.