



INNOVATIONS FOR SUCCESSFUL SOCIETIES

*An initiative of
the National Academy of Public Administration,
and the Woodrow Wilson School of Public and International Affairs
and the Bobst Center for Peace and Justice,
Princeton University*

Oral History Program

Series: Elections
Interview no.: E8

Interviewee: Kwadjo Afari-Gyan

Interviewer: Ashley McCants

Date of Interview: 15 August 2008

Location: Accra
Ghana

Innovations for Successful Societies, Bobst Center for Peace and Justice
Princeton University, 83 Prospect Avenue, Princeton, New Jersey, 08544, USA
www.princeton.edu/successfulsocieties

McCANTS: This is elections interview number seven with Dr. Afari-Gyan, the Chairman of the Electoral Commission in Accra, Ghana. It is August 15, 2008, and the interviewer is Ashley McCants. Thank you very much for agreeing to participate in this interview. I like to begin these conversations by learning a little more about a person's personal background. Can you describe the position that you hold and explain what your goals are in this position?

AFARI-GYAN: *I'm the chairman of the Electoral Commission of Ghana. The commission is made up of seven commissioners, the chairman, two deputy chairmen, and three other commissioners. Then, of course, we have a very large work force, over 1,000, spread all over the country. This institution is the body that is charged by the Constitution and other relevant laws with the responsibility to conduct all public elections and referenda in Ghana. We also have some other responsibilities other than the conduct of the elections. We have a responsibility towards educating the electorate. We are responsible for the registration of political parties. Apart from the public elections, which are the presidential election, the parliamentary elections, and district level, like local government elections—apart from the public elections, we also have a statutory obligation to conduct the election for certain organizations. This includes the Dental and Medical Associations in Ghana; the Veterans' Association of Ghana, that is soldiers; people from the regional Houses of Chiefs to the National House of Chiefs—there is only one National House of Chiefs. We have the responsibility for that.*

Outside this statutory obligation, we often are called upon to conduct elections for all manners of organizations in this country. These are the functions that we are required by law and expected by society to perform.

What are our goals? Of course, we are required to work assiduously to achieve credible and trustworthy elections. In sum, that is what our goal is.

McCANTS: Can you tell me more about the jobs that you held before you took this particular position, and when your election work began?

AFARI-GYAN: *I was a university teacher of political science. I started my teaching career at Santa Clara University in the US, after graduating from the University of California at Santa Barbara. Then I continued teaching at the University of Ghana, Legon, and I was in that area for close to twenty years. Then I was seconded to the Electoral Commission when the Interim National Electoral Commission was organized, just before there was a transition from military rule to constitutional rule. So I have been here since 1992.*

I was deputy chair in charge of operations in 1992, but since 1993 I have been the chairman of the Electoral Commission. So I have been a teacher and election administrator. That is all that I have done.

McCANTS: What would you say have been the biggest challenges arising in this election environment?

AFARI-GYAN: *Well, the challenges have tended to differ from time to time. The overall challenge is, how do you achieve credible, trustworthy elections. That is the overall challenge, and that challenge is present at all times. But the sorts of obstacles in the way of credible elections will tend to differ from time to time. You know, we've done elections in 1992, 1996, 2000, 2004, and we're going to have the 2008 elections. The problems have tended to differ from time to time.*

In 1992, the 1992 election, we were transitioning from, if you like, military or quasi-military rule to constitutional rule—that election had particular problems. The period preceding 1992 had been a period where political parties had not been allowed to operate. Toward the middle of 1992, the ban on party activity was lifted. So parties were allowed to be formed. You and I know that it takes some time to properly organize a party and be ready for competitive elections. So most of the parties were barely on the ground before the elections were held. So that had its difficulties. The parties had to go through a rigorous registration-period exercise and then prepare for elections. They were not really ready for the elections and this set of problems.

Also, the environment was different; the constraints in the environment were different. There was not much freedom of activity during the period of military rule. So there were all sorts of obstacles against the newly-formed parties that wanted to challenge the military government, which had transformed itself into a political party. So the problem there was really how to create a level playing field in that time.

The voters' register was not really up to date, but they had written into the law that the register that had been made years back must be used for the election. There was very little that we could do beyond trying to clean the register. We couldn't make a completely new register, tried to clean the old one. So there was a lot that was not entirely satisfactory with the environment and the preparations with those elections.

After the elections, we started collaborating very closely with the political parties towards creating a more congenial environment for the conduct of elections. That eventually led to the formation of what we call the IPAC, the Inter-Party Advisory Committee. Initially the idea was that we would meet once every month, whether there were elections or not, and discuss issues relating to elections. It has proved to be a very useful organ. A lot of suggestions have come from the political parties. As long as those suggestions about what to do, what they want us to do, is lawful and cost-effective, we have tried to implement the suggestions.

The IPAC has become a very important feature of the electoral landscape in Ghana. It is not a statutory body; it is a body that has come into being as a result of common agreement between the parties and the Commission. But a lot of changes to the electoral system have been made as a result of the discussions that have taken place. I'm happy to say that the IPAC has been accepted by the generality of the people of Ghana. So when political parties have issues, they say, why don't you go to IPAC and discuss the issues and so on. So it has become a very important forum even though it is not a statutory organization. But we built much close collaboration with the political parties: one big family on the ground. Together we have been able to make changes to the electoral system. Some of them I would consider to be cosmetic, like using transparent ballot boxes and things like that, but some of them have been very meaningful.

We started off without even a picture on the voter ID card, only a thumb print which we couldn't analyze anyway, and we moved on to having a picture on the ID card. We have even gone beyond that. We have a picture on the ID card, and we also have a picture in the voters' register. So we have three ways of identifying you: by looking at you, by looking at the picture on your card, and by looking at the register. That should be the same picture in the register.

The long and short of it is that we have, together with the political parties, carried a lot of changes to the electoral system. That is not to say that we don't have problems. That is not to say that. We have had problems, particularly with voter registration. Instead of those problems diminishing, they tend to increase. The problems have had to do with two main sources: underage people registering, minors, people less than 18 years. The law says that you must be at least 18 years on the day that you register. The current registration that we just completed, everybody complained about seeing a lot of people who did not look like they were 18 in the queues registering.

There are also some problems, though not on the same scale as that of the minors—there have been problems with foreigners registering. Sometimes these things are organized, that's what adds a bigger dimension to the problem. The borders are very porous and in some places the border will divide people of the same ethnic stock. So you have some of them overflowing along both borders. In some places—

[interruption]

—the borders will divide people of the same stock. In some places, people do not have the same conception of the border as you and I would have. What is the border, really? When there is no physical presence of, say, the immigration authority and so on, they really don't recognize they have borders and so on. So some of them genuinely do not think they are doing the wrong thing. In some cases the parties and candidates will organize, because they are the same people, speak the same language. They will organize, go across the border to come and register. We've had these problems. I suspect that it has been on a very massive scale here in this registration exercise.

It is because of the perception of the stakes. The opposition party was in government, under the new Constitution, for eight years. Then the opposition party won and it has been in government—this will be the end of eight years. So the two major parties will have both ruled for eight years in the past by the time we come to this election. Of course, the ruling party wants to continue to rule; the opposition wants to come back to government. So the stakes have become very high in this election. So when we were doing the registration, they pushed as many people as they could to register. Unfortunately, in our view, some of the people were not qualified to register so we had a lot of problems with this registration exercise. We are still to collect the figures together, but from all indications the numbers will be unprecedented since I have been here, since 1992, the figures that will come out. So there are always problems in the character of the particular election, and always some problems that run through elections. But if you run elections over a period of time, you gain considerable experience, and the routine things are not the ones that are problematic. It is some of these extra ones that become difficult for you to manage the elections.

Of course funding for elections has always been a problem. Fortunately, in my experience, the Ghana government has always accepted, since I've been here, that the bill for the elections is a bill for the government to pay. We as a Commission adopt that view, that the election bill is a bill for the Ghana government—if they don't have the money, it is their responsibility to go and ask their development partners for assistance. We do not go out and solicit assistance for elections. It is a government bill, and the government has done that.

Almost invariably, when the government has expressed the view that they do not have enough money, fortunately the donors have come in and filled the gap, the funding gap. So we have not had much problem with funding for the elections. We have a very large institution which is permanent, and by law we are supposed to be everywhere, literally. OK, we have the head office: this is the head office of the institution. In every region we have a regional office. We are also required by law to have an office in every district, right? The number of districts keeps going up. That means we must establish—I believe now they are getting to 148 districts. So we have the national office, ten regional offices and 148 district offices. That is why I said the work force is over 1,000.

Even though we are supposed to be decentralized in this way, sometimes trying to build the structures becomes problematic. So even though we may not have a problem with the election bill as such, we always have problems about development expenditure. You want to build an office here, you want to keep an office here, you want to provide a computer, you want to link up all these areas by way of communication, then you have a problem. Then they can tell you there is no money. But in terms of elections they cannot say that.

The development expenditures have not always been forthcoming. As a result sometimes you have to depend, even though we are created as an independent institution by the Constitution and we are not answerable to anybody in the conduct of our work, of course we are subject to law and we are subject to annual audit, the monies that have been given to us and how we use them, but we don't report to, say, the President. We are not part of any government ministry; we don't even report to Parliament. The law says that in doing our work we are not subject to control or direction by any person or authority. So there are legal guarantees of our independence.

But because sometimes you cannot build the structures in the various places, you have to collaborate very closely with the local administration and sometimes you have problems about neutrality resulting from this type of relationship with the local authorities. So I think that if we are allowed in the future to construct the kinds of facilities that are required to give meaning to our independence, then we could—to such an extent that we don't have to rely on local administrations for essential support, then that would really buttress our independence as an institution. Of course that is critical—the independence of the institution is critical to the conduct and management of credible elections. So when you talk about problems, these are some of the problems.

We have legal independence, but if you have to rely on government-related institutions sometimes for transport, for communication and so on, then it really nibbles at your independence and so on. So we're hoping that—and we see that is a developmental process, as I just explained to you. If it had to do with only ten or so offices, it would not be too difficult to equip them adequately, but when you have to equip not only the head office, ten regional offices, but also 148 district offices, it becomes problematic. You see how we tend to see this as a developmental process, and we are being enabled gradually to construct the facilities in the outlying areas that would be consistent with our independence as an institution.

So this will indicate to you that the problems differ as we come to one election or the other.

McCANTS: Can you describe the decision process that produces the schedule of election activities, and have there been concerns expressed about the timing and sequencing of those events?

AFARI-GYAN: *No, as far as—they are fixed in law. They are fixed in law and it is the—see our Commission is very much unlike many other commissions. We do practically everything that has to do with elections. We name the dates for the elections; it is not the government that announces the date for the elections. We announce the date for the elections. Of course there are, there is a framework, a legally-defined framework within which we do it. But we are the ones that say the 7th of December is election day; it is not some government getting us to scuttle to do the elections. Most of the things are fixed.*

We do the announcement of the results. We draw up the constituencies. In fact we decide—this commission ultimately then decides how many parliamentarians there will be. It is this commission that decides. So we are a creature of law. These things are very well laid out in law. So there is nobody worrying about when we are going to—we know exactly when we are going to have an election. It has become accepted that we have a cycle of two years. We do national elections—the national elections meaning the presidential, parliamentary elections, and two years later we do the local government elections. Then in two years again—because all of them are at four year intervals. So every two years we have to do that. This is known to everybody.

McCANTS: Do you have any general advice to offer people in similar settings about how these activities should be timed and sequenced?

AFARI-GYAN: *I think that all these things should be put in the law. It is important to give legal backing to some of these things so that people don't use their discretion to do it. Also so that if controversy were to arise, then they could go to a court of law. Because we have been operating in accordance with the law, we have very often been pulled before the courts. It is a good thing because, it is through that that solid principles are built for the work. If there is controversy between any two stakeholders about what ought to be done or how to do it, and it cannot be resolved other than to go to court. Once the court determines, that means that is the way to do it. So it is important for some of these things to be put in the law so that the courts can then arbitrate and decide and determine, and we will build support for doing this. So it is important.*

I'm not saying that every little thing must be put in the law. Of course you can over-prescribe the system. If you do that, then you remove from the organization the possibility of administrative discretion. So I'm not saying that it should be over-regulated. But the key aspects of the system must be fairly placed in law; that is important.

McCANTS: Can you describe some of the features of the legal framework and some of the statutory laws that govern the conduct of the election that you think make Ghana's electoral process distinctive?

AFARI-GYAN: *Yes, see, I told you I've been here since 1992, let's say 1993, because that was under the new Constitution. We must say 1993, 1992 was the transition period. I have been here as chairman since 1993. The framers of our Constitution in their wisdom decided that the position, certain positions on the Commission must be permanent: permanent in the sense that once you assume the position you carry on until you reach retirement age. Just like the justices of the Superior Court. So*

they have equated our positions to positions on the judiciary. As a result, we are not subject to summary dismissal. The government, the president cannot go on the media and say, I have dismissed this person. Of course, that does not mean you can do—there must be good reason for you to be removed, and there is a process lined out that amounts to being impeached. So the security of the tenure is guaranteed in law, subject to proper behavior. You'll do the work until you reach retirement age. Retirement age for the chair is 70, for the deputy is 65, and for the other members 60. So you could be here—subject to good conduct, of course—and gain tremendous experience as you do the work. I think that experience is important when you do this.

Some of the problems of other countries result because every five years they have a change of personnel. There is little institutional memory, very little chance to correct mistakes that have occurred in the past and so on. Then, as I also said, apart from the security of tenure, the law guarantees your independence, says that you are not subject to direction or control by any person of authority. Of course, you can always refer to the law when someone wants to interfere with what you are doing. Unfortunately, when we felt somebody was trying to maybe nibble at our authority and independence and we have come out, the Ghanaian people have supported us. They have said, leave them alone to do their work.

So we—a lot of insults, you may have seen a lot of things written in the papers. We are insulted, called names, but there is very little anybody can do to us unless it is proven that we've done something wrong. That is the second element.

The third element: as I indicated, we have always said that the election bill is the government's bill and the government must find the money. In fact the law says that all our legitimate expenditures are charged directly to the consolidated fund. So our budget is not part of some ministry's budget; it stands on its own. Of course, any money that is taken from the consolidated fund must be approved by Parliament. But once Parliament has approved our budget, then technically it means that we have the right to use that budget to do our work to such an extent that if we had to discharge some constitutional obligation and the government would say there is no money, we could take the government to court and force the government to provide that money.

I have known many places where the arrangement is such that the commission had to rely on the Ministry of Finance because its budget is incorporated into the budget of the finance ministry, or to the interior ministry, or the justice ministry, and so on. Our budget is not incorporated into anybody's budget; it stands on its own. These are some of the factors.

Then we have power by law to hire our own personnel with the collaboration of the Public Service Commission. There is a Public Service Commission which would determine the staffing levels and things like that. So if we want to hire electoral officers—"Why do you need electoral officers?" Once you are able to justify that, then they say OK. Then we go ahead and hire them. As a result, we can discipline our officers. They are not seconded from departments and ministries, as you find in some places.

We also have power to make law by constitutional instrument. That is important. Our power to make law derives from the Constitution. So we make law by constitutional instrument. Making law by constitutional instrument means that you have more power than making it by legislative instrument. The source of our

power is the constitution; it is not from statute. When we make a law, Parliament can annul the law if it thinks it is a stupid law. It can annul it, but it cannot make changes to the law without our permission. We have made all kinds of constitutional instruments: CI 12, which relates to the registration; CI 15, which relates to the conduct of public elections, and so on. If we feel the need on our own initiative, we could make law. Of course, as I said, if Parliament felt it was a stupid law, it would annul it, but Parliament cannot change it without our permission. These are some of the factors that make our Commission unique from others.

McCANTS: How, in what ways does the Electoral Commission try to maintain transparency?

AFARI-GYAN: *Well, as I said, we start with the transparent ballot box. Why did we change from opaque to transparent ballot box? You know, in our part of the world there is a lot of suspicion surrounding the work of the Commission. If you stay long enough on the job, you realize that part of the suspicion is ignorance. They don't really understand what you are doing, and they think you can do all manner of things that you couldn't do. Anyway, there is a lot of suspicion that before the start of the election the ballot boxes would be already stuffed with papers. This was far from the reality, because even when the ballot box was not transparent, before we begin the election we open it to show you that it was empty. But it was because of the impression, the mis-impression, really, and the suspicion—we said OK, now we're changing over to a transparent ballot box. If the ballot was being brought to something you could see. But that is a very low level.*

I also talked about the discussion issues regularly with the political parties, maybe at the Inter-Party Advisory Committee, and how seriously we take the discussions even though it is not a statutory body. By that, we are trying to create a common ownership of the system. Sometimes they go overboard and try to dictate to us, and then we always call their attention to the fact that we are not subject to control or direction by anybody. What we are doing really is offering you the opportunity. We have involved them in a lot of things that we do.

For example, if we are doing registration, no matter how long it lasts, there is on a daily basis a representative of the political parties. In fact, any political party that cares to do so can send a representative to the registration center and stay there on a continuing basis for the entire period, and take down daily the numbers of people who have come to be registered. We have what we call a daily accounting form. The registration officer will sign that today so many people registered. It will be countersigned by the agents at the end of the exercise. So they are there when we are doing the voters' register. This kind of representation is given to them all the way through. At elections they have the party agent or candidate agent at the polling station.

Our ballots are counted at each polling station. We have roughly 22,000—at the end of this year we will have about 22,000 stations. The ballots will be counted at these 22,000 stations. Each station counts its ballots, documents its results, and declares its results. If you take the presidential election, which is—for the purpose of the presidential election the whole country is one constituency. It means the election results will first be declared at 22,000 polling stations before the aggregation starts.

If it is a parliamentary election, each constituency will have a number of polling stations. Each polling station will announce its results before the aggregation at the constituency level will start. At the close of the election we encourage the

local people to come and stand there and witness how the counting is being done. So we have opened up the process. In fact some people would say we have opened it up too much, such that the political parties are beginning to feel that they conduct elections. But they don't conduct elections. Their duty is to contest elections, not to conduct elections. But sometimes, because of the degree to which we have involved them in our processes, they wanted to get too close to several things that we are doing.

So, yes, the transparency is first of all in the fairness of the regulations and the laws; they are fair. Then in giving the stakeholders ample opportunity to observe whatever we are doing.

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

AFARI-GYAN: *No. As I said, I told you that even though our independence is guaranteed and we are not a government agency, we are subject to annual audit by the auditor general of the country. You know, the kinds of consequential issues that may arise from misuse of funds. There is also the procurement committee. We have members of Parliament serving on it. We have one member from the government party, one member from the opposition serving on the procurement committee. We have also a member on the committee representing the justice ministry. There is a law that you have to go through, for purposes of procurement; beyond procurement, we have salaries. So no, there is very little room, because the budget—if you see the nature of an election budget, if I am going to buy 20,000 pens, it will all be in the budget, itemized. Everything is itemized, and they can easily check whether they bought 20,000 pens and so forth. Otherwise, what is left is just salaries for the workers.*

McCANTS: Elections are expensive, and costs can vary greatly across settings. Do you have any ideas on how to make the electoral process less expensive next time?

AFARI-GYAN: *For the time being it is going to be difficult because certain tasks are essential, and you cannot cut corners; they must be done fully. We have tried some cost-cutting measures. For example, we print out our ballots in Ghana. We don't print our ballots outside this country and that has become accepted. It is very, very expensive when you print ballot papers and so forth. That is one area where you could save quite a bit of money. You try as much as possible not to use more officials than you really need. So the principle that we apply here is that they tell us the minimum number of people who can do this work. If you are going to ask for an extra person, you must justify the need for that extra person. So we have cut down the numbers of people who conduct the elections. In some places you go, they have quite a range of officers: queue controller, this, that, and that, somebody who stands at the gate. We have said, unless you can justify the need for certain kinds of personnel—. So the numbers have escalated and so on.*

So maybe using—let me just analyze it, try to find out things that you can produce locally, that you can procure locally and do so. As far as practicable, use local materials for the elections, including producing the ballot papers locally. Here, when we are producing the ballot papers, we allow the political parties to go to the printing house and observe what is being done. So they've never complained about our producing the ballot papers here. It has a lot of advantages. We suddenly discover a mistake, we can just run to the printing house and correct the mistake. If the ballots have come from Canada or the

United States or from Britain, how do you get them, the distance, remedied immediately? So yes, try to use, as far as practicable, local materials.

This year, for example, we've given the contract for the construction of the polling booths to a local organization. That will save us the cost of transporting them from Britain to here or from the United States to this place and so on. They are produced locally. It also builds, of course, local expertise. But having said that, certain things are critical and you must do them, and there is no way that will get around them. So some costs are reducible, other costs are not reducible.

McCANTS: What have been the challenges encountered during the boundary delimitation process here, and how have you overcome those?

AFARI-GYAN: *We have not encountered many problems with boundary demarcation, because we have very explicit principles. It is a combination of population and land size. We do not go on the principle that it is only population. Everybody has accepted that principle. So we give a certain weight to population and a certain weight to land size, and when we match the two we get a certain proportion that is then used to translate whatever number of seats there are among the regions. So we do not have much controversy over demarcation. There are a few little ones, because sometimes the most logical way to draw the line may be through X, and somebody says, no, no—it could be that X belongs to my traditional area, or they come under my traditional jurisdiction, and I cannot allow them to be in that constituency. When it comes to that, we do what we think is the most rational thing to do. If you are aggrieved, there is a tribunal which is set up immediately after the demarcation, and that tribunal would then adjudicate. We have never contested a decision of the tribunal, because we have no personal interest in that. As a result we have not had much controversy with consideration of demarcation in this country.*

McCANTS: You mentioned that during this registration period there have been some problems with under-age voters and foreigners trying to register. What controls have been developed to prevent multiple or false registrations?

AFARI-GYAN: *It is difficult in our setting. First of all, this is not the kind of setting where many people carry documents. I always keep saying that if you become a citizen of Ghana by registration, it would be easier for you to prove your citizenship than my father, because he has no documents. He can call attention to no document that says he is a Ghanaian. So if it comes to, say, age, a lot of people still don't have documentary proof of their ages, and that makes it difficult, and when you demand it it becomes a bit arbitrary.*

In the past we were not demanding birth certificates. People say, what about passports? How many Ghanaians have passports? We go down even to baptismal certificates. What if you're not a Christian? So every document that you mention, they say—OK, health card—what if the person has never been to a hospital? Maybe in the future we can ask for documentary proof of people's ages, but as of now it becomes a bit arbitrary. If you don't take care, you will disenfranchise a lot of people. The converse is that because there is no documentary proof of people's ages, people can lie about their ages. When it is organized by political parties and things like that, then it is very difficult to prove. That has been one difficulty.

I also told you about where I come from in Brong Ahafo; if you cross the border, the people on the Ivory Coast side, they speak the same Brong. If I manage to

walk to this street where the registration center is on the Ghana side, maybe, there is no way to tell whether I'm Ghanaian or Ivorian. Of course you cannot say because the person doesn't speak English, because there are a lot of people in that area who do not speak English; they have never been to school. So it makes it difficult really to know who is and who is not, particularly along the borders. The Ghana-Ivory Coast border, Ghana-Togo border, Ghana-Burkina Faso border, everywhere. There are instances of that. There are places where it was one town and the people operated as one town until somebody came and said, now this is the boundary, and the boundary divides the town into two. They still do things together as though—. Sometimes it is a bit difficult to know. So we have relied, where there is no documentary evidence, we have to rely on the local people, local information. In times past it worked reasonably well, because they were not lying and doing that. But recently I'm becoming a bit suspicious, because one day political stakes are very high and they can come under all kinds of influences, and they will lie about somebody's nationality, they will lie about people's ages and so on. So it has been difficult, it was very difficult to do that.

Then we display, of course—when we've collected the information, we display the information publicly for about ten days, and everybody can go and examine the register and can object and say, oh, no, this lady who's named there, this lady is not a Ghanaian. Then finally the court will have to decide on those issues before we print the final register. But all these are methods of trying to get the register that is acceptable to the people. I think ultimately what is important is that the register is acceptable to the competing stakeholders. That is really what we should worry about: is the register acceptable to the competing political parties? I don't think there is ever going to be a perfect register anywhere in the world.

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

AFARI-GYAN: *As for tampering with the register, it is very difficult to tamper with it. I told you about the process. The parties will know how many people have been registered at each registration point. So when they add up the numbers, they know the number of people who should be on the register. Yes, sometimes before we even finish adding up, the parties are finished adding up, and they tell us, oh, there are so many people on the register. That is one way. Everybody knows.*

When we finish the register we give a copy to each political party. At first we used to give them even physical copies, but now we give it to them in electronic form, because it is becoming increasingly more expensive to do that. So these are—it would be very difficult, very difficult for anybody to tamper with the information, because the information is known to everybody, every well-organized political party. We have some political parties that are hardly on the ground, so they would not be able to do that. But if you take the two big parties, they always should have the information about the register, the numbers on it and so on.

McCANTS: What options have you considered for the structure of the ballot, and who was involved in that decision? How was that decision made?

AFARI-GYAN: *We have a format for the ballot. The ballot design is fairly well established. It is a combination of all kinds. We have the picture of the candidate. We have the symbol of the party and the name of the party. These are more than adequate ways for you to be able to identify who you want to vote for. The structure has been agreed to. We are even so democratic that the people have the ballot for*

their positions; the parties will ballot for their positions, the order on the ballot paper. That is it. So we don't go by alphabetical order; it means some party will be always at the top, some party will always be at the bottom. So we give them the opportunity to come on ballots and they accept it. They come, they ballot; if you ballot and you get position one, you will be position one. So both the format and process of arranging the people are very well accepted by the political parties.

McCANTS: Is there anything that you would change about the ballot design if you could?

AFARI-GYAN: *Oh, yes, we always make a slight alteration. For example, if you've seen our ballot, we give you a place where you place your mark. The spaces for the different candidates have been separated by very thin lines in the past, and for one reason or another some people will place their mark in such a way that it spills over the line. Then controversy arises, because was it the person's intention to vote for this candidate or that candidate? Now, what we have agreed to do is make the separation of the boxes much clearer by really darkening the spaces in between them, so that if you make a mark and it spills slightly it cannot go all the way into the other box. So there are little recommendations that we would make, depending on the experience that you see. But this is the format, all candidates on one ballot. We are not going to change that.*

McCANTS: How does the Electoral Commission guarantee the chain of custody of the ballots from the production to transporting it to the districts, storage?

AFARI-GYAN: *I told you that even when we are printing them, we allow the political parties to be there. Of course we determine the quantities. Since our register is broken down into polling stations, our registers are polling station specific, so we know exactly the number of people who are going to turn up at each polling station. We know exactly the number of ballots which are going to each polling station. During the printing, so we can determine the quantity in more exact terms. We don't just go and produce any number. Based on the aggregation of the polling stations specifically, we have a formula, add a certain number to each polling station's quantity and so on. So we aggregate them; we know exactly what we are printing, why we are printing that number. And while they're printing the parties are there.*

They also witness the packaging and the transportation. When we do the format, the parties will know that we are printing for this region so much quantity, that region so much quantity. Within the region, they will know so much quantity for that district, and they will know within the district, for this polling station so much quantity. So it is known all the way down to the polling station. Then transportation. If they have to be kept at some places, the parties are allowed to put their sign on the locks to make sure that no tampering is done. Then we track the serial numbers; we track them by serial numbers. We track the ballot papers that are going anyplace by serial numbers.

At the polling station, before they even start the election, they'll indicate the range of serial numbers in the polling station that they have. After the election when there is no controversy, to all intents and purposes it is finished, because we don't have a counting center. When they finish counting at the polling station, things are signed and the party candidates get copies, signed copies of the results. So to all intents and purposes, it is finished. What happens at the constituency center is the aggregation, just adding them up, the collation, the tabulation of the results. We don't count ballot papers anyplace after they've

been counted at the polling stations. So you only have to make sure that they are safely secured after the polling station count. They don't have to be taken to the collation center. So the trucking is rarely done, and at every station the political party representatives have the opportunity to attest to what is going on, what has been received, what has been dispatched and so on.

McCANTS: How are communications between the headquarters, election office, and the sub-national offices organized?

AFARI-GYAN: *We are very well linked to the ten regional offices. We have a WAN, a wide-area network that links us to all the regional offices. So the headquarters is very well linked to the ten regional offices. It is beyond there that you may have problems. Most districts as you know now in Ghana are now connected by phone. So we have phone communication with them. We have fax communication with these areas. Where there is no telephone we have established radio communication with them. Of course, nowadays in Ghana most places you can reach by phone.*

McCANTS: What role does the Electoral Commission play in the regulation of political parties?

AFARI-GYAN: *The law says that we have to register them. But the conditions for registration are set down in the Constitution. By the power to register them, if they don't satisfy, don't continue to satisfy, we can cancel their registration. They also have to report, make certain financial reports to us before an election takes place and after the election takes place. So here there is no public funding, no way to get public funding. They have been given some assistance by the government, but that is really at the discretion of the government. There is no legal, in terms of material, that vehicle for campaigns and so on.*

The Constitution also requires certain other organizations, not us; for example it says the parties must be given equal time in the state-owned media. And presidential candidates, it says specifically, must be given equal time and space. But we don't enforce those things. Those are the things that will be enforced by the respective agencies. So there are many agencies involved in the regulation of political parties. Ours is with registration, making sure that they continue to be in good standing, and then making certain financial reports to us from time to time.

McCANTS: Do you have any powers to sanction the political parties if they're not in compliance?

AFARI-GYAN: *This is what I've said. If they are in default, they are continually in default of the electoral law, the requirements, we can take away their certificate to operate.*

McCANTS: What are the main methods that political party leaders use to try to reach potential voters, and do you think that these methods have any particular advantages and disadvantages for the quality of the election?

AFARI-GYAN: *Now this is a question that you should ask them. The ones that we see are billboards, we see campaign posters, we see advertisements in the media. There are a lot of rallies and so on and so forth. This is what we see. Behind the scenes, what they do may be more important than meets the eye, but it has predominantly become media-based. Media-based, communication-based. The print media is important to the extent that you have posters and those big billboards. The television is becoming increasingly important, but we know that*

the coverage is still a little bit limited. So there is a lot of person-to-person contact. That, in my view, may be more effective than all these billboards and the radio and these things. Because honestly, for the countryside, a farmer gets up early in the morning, goes to the farm, works his farm. He is not going to be listening to the radio. Comes home maybe very tired, eats, goes to sleep. Most of these things don't get to them.

The person-to-person contact, the rallies and meetings. Sometime you could go to their homes, and they take pride that the candidate has come to my house and may be eating with me. That makes more of an impact than what you see on some of these things. So you will find that the conventional ways are going on using the media and all these things. But increasingly they are beginning to realize that it is the person-to-person contact that is important, and it is being used predominantly to a very great extent this year.

McCANTS: Is there an assessment of threats against the election process done before an election, and who conducts that assessment?

AFARI-GYAN: *It is always done. In fact, before an election we always collaborate very closely with the security agencies, and before every election there is what we call the Election Task Force. There is a national task force, there is a regional task force, every district also will have a district task force. They monitor the security situation very closely in the various places. So we are able to identify what we refer to as flash points, where it is likely to be, and pay particular attention to those areas, that security.*

McCANTS: In the assessment of this kind of flash point or threat, who are the likely victims and who are the likely perpetrators and what are their motives?

AFARI-GYAN: *Well, we don't wait until they, until the events have occurred before we do that. The assessment is in the form of a forewarning, really. There is a place where there is a chieftaincy dispute, and there are people aligned to both sides; that has to be watched, because at election period these people necessarily have to come together. Maybe if it were not for the election period, they would be in their separate places, but in the election period, because of campaigns, because of coming to the polling stations, means that they will have to come together at one time or another. So then you realize that special attention must be paid to this place. So it is not as if it has occurred then, to know who are the perpetrators and the victims.*

There are some places where you look at the character of the candidates and the language they are using and you say, now, this is likely to cause trouble in this area, so you prepare for it. So the sources could be many and varied.

McCANTS: Who specifically are the security partners that you collaborate with?

AFARI-GYAN: *For elections, the police are the major source of security. But for purposes of the assessment all the other agencies will be involved—the border people, the military, for purpose of assessment, all of them will be involved. The PNI, the CID [Cooperation for Integrated Development], and so on, because they have all kinds of information. So it is not just one organization; it is all of them.*

McCANTS: Do you have any examples of specific security problems, and how you dealt with them, and which do you think were handled most successfully?

AFARI-GYAN: See, we are not a security agency, so we don't deal with it. As I said, it is forewarning, and we tell the proper security agency, and the security agencies will go and deal with it. They provide, if in our assessment—it is a division of labor. We don't deal with the security issues except to bring them to the attention of the proper security agencies. We can make a request about what to do and so on. Say for example in certain areas we think that the presence of the police alone will not be sufficient, so maybe—and they, in their own wisdom will decide what to do. But you see, our elections have not been characterized by major violence, electoral violence, maybe a minor scuffle here or there that the police can deal with.

McCANTS: How well do you think the dispute resolution system works here? What has worked well and what has worked not so well?

AFARI-GYAN: In Ghana, the major institution that resolves conflict is the court. So what we have tried to do is build anti-conflict, conflict prevention measures into the processes. But if those measures are not able to prevent conflict, then it is the court that will resolve. For example, when we do registration, we allow people to be challenged. If you go to a registration center and you want to apply for registration, I can come and say, no, no, that lady should not be registered because she is not a Ghanaian. Or that boy should not be registered because he is not 18. Any Ghanaian can challenge another person who is coming for registration.

When that is done, it is the political parties themselves that resolve the challenges after the registration. It is what we call the District Registration Review Committee, and every party that is active in the district has a member on this review committee. They themselves will decide whether it is true, whether that lady is a foreigner and therefore must not register and so on. Then they will give us the results for incorporation or deletion from the register. This is a conflict prevention mechanism. Of course, if you are aggrieved by their decision, you can go to court ultimately. But when all these things fail, if you have some disagreement over an election result, you go into disagreement and try to see how best to resolve it. If we resolve it and you are not satisfied, then you send a petition to the court. So the levels other than the court is an attempt to prevent conflict, really.

McCANTS: Do you think this strategy has been effective?

AFARI-GYAN: Well, it is effective if it is not subject to delay. I think that is the determination on the part of the courts now, that any election issue will be dealt with as quickly as is practical.

McCANTS: Can you describe how the Electoral Commission shares its responsibility for voter education with other organizations: civil society, the Commission for Civic Education, etc.?

AFARI-GYAN: We have a mandate for voter education. But we know that it is too big for us to do alone.

As I was saying, we have a mandate, a specific mandate in the Constitution for voter education, to educate the people, the electorate on the electoral process and its purpose. Though we clearly have a role to play, we know that we cannot do it alone. So we try to collaborate as much as possible with all kinds of organizations that have the capacity to do some form of education. We call them

the Public Interest Organizations, PIOs. It may be a market woman's organization, any organization. You know the traditional ones, they include the NGOs and the CSOs, and we go even beyond that to more localized groups. The faith-based institutions, the religious groups, churches, mosques, and so on and so forth. We appeal to them, and they assist, invite us to come and talk to their members.

We also sometimes do training of trainers (TOTs) for the big organizations and we will train some of the leadership so they can spread the information around. There are also some organizations, the National Commission for Civic Education which is an entire commission dedicated to civic education. They do a lot of work that has relevance for elections. So we like to talk in terms of electoral education rather than voter education. It is more impressive. We have organized seminars for reporters on electoral reporting. We have even held seminars with judges, because when there are infractions of the electoral law, these are the people who adjudicate, so it is important for them to know. We have held TOTs for top political officers because the police are supposed to apprehend people who commit election offences. If they don't know what election offences are, how could they do that, and so on. Because of that we talk more embracingly of electoral education rather than voter education. The security—for the role they play, it is important for them not to meddle in the actual conduct of elections. Sometimes they do it out of ignorance. They think they are helping, in the counting of the votes, in doing this and so on.

So yes, we have the mandate in electoral education; we cannot do it ourselves, but we do not farm out that responsibility to some other organization. We don't. We don't pay some other organization to go and do voter education for us; we don't do that. We provide materials that are relevant for the PIOs, the Public Interest Organizations, to be able to assist us. I know that there are some places where they say, by law, civil society must be involved in that. There is no law like that in our situation. But we feel the need always to appeal to them to assist us in doing electoral education.

McCANTS: Thank you very much.

AFARI-GYAN: You're welcome.