Democracy by IDs and fingerprints? The politics of voter registration and voter registration reform in West Africa

Giulia Piccolino
Postdoctoral research fellow, Institute of African Affairs, German Institute of Global and Area Studies.
giulia.piccolino@giga-hamburg.de

This paper is a draft under submission. Please do not circulate or quote.

Abstract
A reliable voter list is a necessary precondition for free and fair elections. However, many developing countries have persistent difficulties in registering their electors and establishing their identity. Following polemics about the quality of existing voter rolls, these countries have recently introduced reforms to their voter registration systems, such as the adoption of voter IDs and of biometric technology. Looking at three West African countries – Benin, Côte d’Ivoire and Ghana – this paper argues that the impact of these reforms has been mixed, that economic costs have not always been justified and that sophisticated technology does not guarantee the success and acceptance of voter registration.

Voter registration; Africa; Biometrics; Ghana; Côte d'Ivoire; Benin

1. Introduction
Representative democracy is predicated over the existence of a state that it is able to identify its citizens and to carry efficiently the administrative aspects of the electoral process. This issue has not attracted much attention in the academic literature, but has been widely acknowledged by officials of Electoral Management Bodies (EMB) and practitioners of democracy promotion. In particular, voter registration and identification are the most administratively complex and cumbersome component of an electoral process. The holding of democratic elections requires that a state is able, on the basis of pre-existing records or through an ad hoc procedure, to compile a reliable voter list. It also implies that electors are able to identify themselves in front of the polling station staff, usually by showing voter cards or national IDs.

In many parts of the developing world, the capacity of states to ‘register and recognize’ (Breckenridge & Szreter 2012) their citizens is in scarce supply. Sub-Saharan Africa is a case in point. While African countries now regularly hold elections, the unreliability of voter registers has raised serious polemics about the quality of democracy and the fairness of the electoral process in a
number of countries. Hence, modernizing voter registration has become a key engagement of political activists, civil society organizations and of the international democracy promotion community. This engagement has translated in a number of ambitious projects, aiming at substituting old-fashioned manual voter lists with electronic lists, and at introducing advanced technological solutions, particularly computerized biometrics.

Voter registration reform has usually pursued different sets of goals at the same time: ‘safer’ election rolls have been expected to contributed to democratic consolidation. But they have also been expected to help preventing electoral violence and to foster institutional capacity building. This article looks at recent cases of voter registration reform in Benin, Côte d’Ivoire and Ghana. While there have been similarities in the type of arrangements and technological solutions that these three countries have introduced, the capacity of reforms to deliver on their promises has depended more from the internal political context than from the content of the reforms themselves.

2. Democracy, administrative capacity and identification

Modern states are ‘registering organizations’ (Diamant, 2001: 447) engaged in collecting information and developing records on a vast array of demographic, political and economic processes within their territory (Scott, 1999; Slater, 2008). While systems of registration may become tools for state oppression, it is important to stress that a state that is able to record and register its citizens is a precondition for the enjoyment of citizenship and of the democratic rights that comes with it. Voter registration, which can be defined as a particular form of state registration aiming at the compilation of a voter list and the identification of voters at polling stations, is arguably one of the most blatant examples of the connection between a state’s registering capacities and citizenship. The quality of a voter list impact on the quality of elections and thus of democracy itself. The comprehensiveness of a voter roll – the proportion of eligible voters included in the list – ensures that electors are able to exercise their right to vote. The currency of the list – the extent to which information is updated – and its accuracy – the rate of error in names, addresses, gender the date of birth (ACE, n.d.) – guarantee that elections are fair and greatly reduce the scope for fraud.

Many Western states have established the administrative capacity necessary to register and identify their citizens before introducing universal suffrage. As a consequence, their administrative and technical arrangements for voter registration capitalise on the existence of other administrative resources established prior or contemporarily to voter registration. For instance, the extraction of the voter list from the civil registry and the use of national ID cards for identifying voters are widely employed by Western European democracies, such as France and Italy. This system, however, demands not only that the civil registry is accurate and that every citizen possesses an ID
card, but also a high level of trust in state institutions, as in most countries the civil registry is maintained by the national or local government, rather than by an independent electoral commission. Even when, for these reasons, the civil and voter registry are kept separated, there are other mechanisms through which a country that is able to produce good administrative records can ease the challenge of voter registration. The task of updating the registry can be facilitated by the sharing of information with other state departments, such as driver’s registration bureaus, tax departments and housing authorities (ACE, n.d.), alleviating what could be otherwise a cumbersome process (Evrensel 2010).

On the other hand, voter registration poses particular challenges in those parts of the world where states struggle to collect reliable data about their citizens, particularly where vital statistics are defective (Setel et al., 2007), such as in Sub-Saharan Africa. The low rate of birth registration, the limited availability of identity documents, the diffusion of illiteracy and the prevalence of rural population make difficult for all people to register and to be identified in an accurate fashion.

Although some of these countries have a long history of holding elections under colonial rule and post-colonial single-party regimes, the faultiness of the voter register has become a prominent issue only with the so called third wave of democratization. With the introduction of democratic freedoms and multi-party competition, the stakes of elections have steadily raised. Moreover, international coverage of elections and electoral observation have reduced the scope for the most blatant forms of electoral fraud, particularly election-day fraud (Kelley, 2012; Ichino and Schündeln, 2012). Deterring fraud in voter registration typically requires longer election observation missions and, when sophisticated technologies are used, specialised technical knowledge. This has meant that the attention of political leaders and common people alike and fears of fraud and manipulation have increasingly concentrated on voter registration, turning it into a controversial, if not the most controversial, aspect of the electoral process. The issue of how to make it ‘safer’ has thus become a prominent one (ACE, 2006; Evrensel, 2010). The general trend towards modernizing voter registration systems, while starting in developed countries (Rosenberg and Chen, 2009), has rapidly found supporters in developing countries. In some countries, a dramatic event – the end of single party rule, or of a civil war – has provided the background for introducing new voter registries, while in others contestation of past elections has encouraged demands for reforms in voter registration.

These demands have come from very different actors. Opposition parties have often been the most vocals in contesting existing voter rolls, arguing that better mechanisms for registering voters are needed to reduce the scope for fraud. However, incumbents have also pushed for reforming voter registration, in the hope of reinforcing their legitimacy in case of a new victory to
the polls. Local civil society organizations have also advocated improved voter registration as a mean to consolidate representative democracy.

Foreign aid agencies and International Non Governmental Organizations (INGOs) have also played an important role. They have been motivated by their agenda to improve the transparency of the electoral system but also by the growing concern for election-related violence. The role of international development actors has varied across countries and has ranged from to inspiring and carrying out most of the process, to providing funding, technical and administrative expertise or playing a role as third party guarantee. The United Nations Development Programme (UNDP) and the European Union (EU), which have set a joint task force on electoral assistance, have been particularly influential. Organizations such as the International Foundation for Electoral System (IFES) and the Electoral Institute for Sustainable Democracy in Africa (EISA) have also developed a considerable expertise on voter registration (Evrensel, 2010; Yard 2011).

Projects to modernize voter registration have pursued several goals at once. The first, self-evident goal, has been to make elections ‘cleaner’, curtailing opportunities for fraud by the use of more stringent identification criteria and ‘bullet proof’ technology. A second key goal has been to foster a consensual atmosphere among rival parties, reduce contestation of election results and, consequently, the risk of electoral violence. This objective has taken particular relevance in post-conflict countries, such as Côte d’Ivoire and the Democratic Republic of Congo. A third goal has been to realize improvements in other administrative domains, particularly in countries like Côte d’Ivoire and Rwanda or, outside Africa, Afghanistan, where voter registration has been coupled with a process of identification aiming at reconstructing or modernizing the civil registration system. While the case for conducting voter and civil registration jointly may look self evident, in terms of reduction of costs and improved accuracy stemming from data sharing, the results have sometimes been disappointing (Miiron n.d.; ACE 2006; Yard 2011). The arrangements for conducting the two processes together may be burdensome and voter and civil registration tend to follow different logics with respect to which data are more important and which deadlines should be observed.

The attention of reformers has concentrated on two aspects of the voter registration process: the institutional and administrative provisions on the one hand, and the employment of technology on the other. While, in principle, even international agencies recognize that different solutions can prove effective in different contexts, voter registration reform projects have in practice tended to adopt certain standardized solutions. These can be resumed in the move from periodic registration to a permanent voters roll, in the issue of special voter ID cards for election purposes and in the introduction of advanced technology to record and cross-check information (ACE, 2006).
Voter registration reform has become a hyper specialized but increasingly large industry, mobilizing an army of donors and international consultants. Computerized biometric technology, particularly Automated Fingerprint Identification Systems (AFIS), have featured particularly high in voter registration reform projects (Gelb and Clark, 2013). In particular in Sub-Saharan Africa, biometric technology has been heralded as an ideal way for states to ‘leapfrog’, allowing for secure identification even in the absence of previous reliable state records (Gelb and Clark, 2013; Gelb and Decker, 2012; Breckenridge, 2010; Szreter & Breckenridge, 2012). The biometric industry in Sub-Saharan Africa has boomed, passing from 87.7 million USD in 2005 to 415.8 million USD in 2010, a growth per year of 37%, higher than in any other world region (Gelb and Clark, 2013: 66). Given the highly specialized character of these technologies and the lack of industrialization of most Sub-Saharan countries, the sector has been dominated by a few multinational companies and tender processes have often been accompanied by polemics.

While useful in improving the accuracy of a voter list, biometry technology has however also a series of evident limits. It cannot address the problem of the comprehensiveness of a voter list, which has to be dealt through other means, such as voter education and political mobilization (Evrensel, 2010). It is also unable to solve certain issues that are typical of countries lacking an accurate civil registry, such as distinguishing beyond any doubt between who has been born in the country and has the right to citizenship and who is a foreigner, and between who has reached the age of voting and who is still a minor. Countries where national IDs and the civil registry have limited coverage have been forced, when implementing biometric registration for the first time, to establish special procedures to allow those who do not carry key documents to register, particularly through some form of oral testimony. As oral testimony is inevitably at risk of inaccuracy and fraud, even biometric registration has been forced in the end to rely on some form of political compromise.

In the next section, I explore the impact of voter registration modernization on three African countries. The case studies – Côte d’Ivoire, Benin and Ghana – have the advantage to display similarities as well as differences. All the three countries are located in West Africa, a sub-region that shares a similar colonial legacy in terms of low administrative capacities and structure of the economic system. Benin and Côte d’Ivoire are both former French colonies, sharing the inheritance of the French état civil, while Ghana is a former British colony. In all the three countries, the comprehensiveness and accuracy of the voter registry have become at one point a source of political tensions and a ground to contest election results. As a response, the three countries have introduced significant technical and institutional innovation to their system of voter registration in the last presidential elections, particularly the adoption of biometric technology, which has featured in all
three countries. Voter IDs have also been introduced in recent elections in Côte d’Ivoire and Benin, while Ghana has been using them already since 1996. Similar reforms have, however, led to divergent outcome and only Ghana appears to have been able to fully exploit their potential.

3. Case studies of voter registration in West Africa

3.1 Voter registration in Benin

Benin is a small country of about nine million habitants but it has a strong symbolic importance in the history of democracy in Africa. In 1990, Benin was the first country among the former French African colonies to initiate a process of democratization. Its formula of convening a Conférence Nationale (National Conference) for managing the transition to democracy has been regarded as an important innovation for coping with the uncertainties of regime change and has inspired several other French-speaking African countries (Allen, 1992; Banégas, 2003; Gisselquist, 2008; Heilbrunn, 1993).

In spite of its relatively early democratization, Benin relied until recently on an unsophisticated and quite unreliable mechanism of voter registration for its elections. Before every election, citizens were asked to register at poll sites. Given that the lists were manual and non-consolidated, it was easy to manipulate the system and register at multiple sites. The risk was increased due to the fact that many voters could not present identity documents and were enrolled through testimony of their peers. As the others former French colonies, Benin has inherited an état civil inspired to the French model and citizens are supposed to hold national IDs. However, the diffusion of IDs is limited and an important share of the population is still not registered at birth (the percentage of children aged less than five unregistered was 31% in 2006 and 18.8% in 2011-2012) (INSAE, 2006; INSAE, 2013).

Since the democratic transition, contestation about the reliability of the voter list has frequently accompanied elections in Benin, particularly in 2001, when opposition candidate Nicéphore Soglo boycotted the second round claiming that frauds had taken place (Member of Beninese Parliament, personal communication, 2013). A reform of Benin’s voter registration system was for a long time on the agenda, but was delayed by Beninese political actors’ ambivalent attitude. The feeling of Beninese political parties that they profited from the looseness of the system was largely illusionary, as electoral irregularities were not particularly favouring one political group (Beninese political analyst, personal communication, 2013), but constituted a powerful obstacle to changing it.
In 2006, as part of its reformist ambitions, the new Yayi Boni administration committed to the creation of a consolidated electronic voter list, which was baptised Liste Electorale Permanente Informatisée (LEPI). Given that Benin had no consolidate list at all, the LEPI process had to start with the execution of a Recensement Electoral National Approfondi (RENA). An electoral cartography, detailing the distribution of dwellings over the territory, had to be established for the whole country. The second phase involved the census of Beninese citizens, including minors above the age of eight, in their dwellings by census agents. The biometric registration of electors at chosen sites occurred as a third phase and, differently from the RENA, had a voluntary and non-compulsory character. After treatment of the registered data, a voter card containing also biometric data was to be delivered to the citizens who had registered (Sessou, Paternotre, Bargiacchi and Ramazani, 2009; Republic of Benin, 2009).

The creation of the LEPI had been strongly advocated by donors and by civil society organizations. They considered a modernization of the voter registration system indispensable for improving the quality of the Beninese democracy, for fostering democratic consolidation and for deflecting the risk of electoral violence (Donor representative, personal communication, 2013; Local NGO representative, personal communication, 2013). However, the expectation that a more reliable electoral list would have improved the political climate withered as the LEPI process was marred by persistent polemics and disagreements among the majority and the opposition. The balance of forces between them was tight, as Yayi Boni’s Forces Cauris pour un Bénin Emergent (FCBE) did not hold the absolute majority at the National Assembly.

The LEPI process was to be ran by two ad hoc institutions, the Commission Politique de Supervision de la LEPI (CPS-LEPI), and the Mission Indépendante de Recensement Electoral National Approfondi (MIRENA), in partnership with the external expertise provided by the donor-funded Projet d’Appui à la Réalisation de la LEPI (PAREL, Project Supporting the Establishment of the LEPI) (Republic of Benin, 2009). The CPS was a politico-administrative body, most of whose members were drawn from the Government and the National Assembly (Republic of Benin, 2009). The two existing national bodies that looked better placed to carry out the LEPI process, the Commission Electorale Nationale Indépendente (CENA) and the Institut National de Statistique et de l’Analyse Economique (INSAE) (Olihide and Alladatin, 2012), were thus marginalized, although some of their members were recruited at personal title in the MIRENA. The CPS and the MIRENA were the object of constant mistrust and nominations to both turned into a battlefield between the majority and the opposition.

A major contention between majority and opposition started after the conclusion of the first phase of the project, the electoral cartography. As a compromise, a Working Group in charge of
evaluating the cartography and propose adjustments was created, but the opposition later complained that its recommendations had been insufficiently taken into account. Difficulties between the governmental coalition and the opposition continued and reached a peak in mid-2010. In March, president of the CPS Epiphane Quenum, an opposition member, was forced to resign and replaced by Nassirou Bako Arifari, who, albeit elected with an unanimous vote, was afterwards constantly criticized by the opposition. In April the opposition MPs elected within the CPS resigned, ostensibly with the aim to provoke a paralysis of the organ. In August, the opposition-dominated National Assembly voted a regulation that asked for the employment of a provisional list instead of the LEPI in the 2011 elections. Due to the tense atmosphere, during the electoral census there were cases of agents chased by opposition supporters and even physically aggressed (MIRENA official, personal communication, 2013). However, the attitude of the opposition changed after December 2010, when the Constitutional Court ruled in favour to the employment of the LEPI in the 2011 presidential elections. Opposition parties realised that a boycott risked to compromise their chances at the polls and, at a few days from the election, they pushed for the adoption of a law that extended of five days the biometric enrolment and authorised citizens excluded from the census to register (Sangaré, 2012: 9-10).

In spite of the controversy surrounding it, the LEPI process resulted into several significant achievements, which were acknowledged by external partners and observers. The RENA registered 7 505 796 citizens aged more than 8. After the elimination of double registrations through the treatment of the biometric data, 4 483 420 voter cards were delivered to citizens aged more than 12, representing 77.73% of the correspondent population registered by the RENA (Sangaré, 2012). The Organisation Internationale de la Francophonie (OIF), requested to carry an independent evaluation of the list, estimated the coverage with respect to the voter population (aged more than 18) at 83%, a respectable rate considering that the process was non-compulsory (Sangaré, 2012).

While the OIC evaluation and other external observers found no evidence of a deliberate manipulation of the list by the power holders, a main issue concerned the registration of a large number of citizens without any previous identification document. During the RENA, 2 215 859 people were registered on their own declaration or the testimony of the family head (Sangaré, 2011). While, according to the 2009 law, the dossiers of these citizens should have been subjected to a tribunal’s judgment in order for them to be able to enrol as electors, this proved in practice impossible. Another weakness concerned the distortions in the distribution of the age groups, with an over-estimation of the population aged 12 years old (the age limit for the biometric enrolment) and aged 18 years old (the age limit for voting).
A distinct problem with the LEPI concerned its financial and technical sustainability and its impact on administrative modernization in other domains. The LEPI process was heavily supported and financed by external partners. Donors, particularly the EU, contributed to 62% of the budget of the 51.35 million USD PAREL project (Assoukpe, 2011). The employment of biometric technology has been to a large extent responsible for the high costs of the project: notably, the purchase of biometric kits delivered by the Dutch enterprise GEMALTO, absorbed almost one fourth of the total budget of the PAREL project (Assoukpe, 2011).

In order to justify the high investment, the Beninese government and donors insisted that the data collected during the voter registration process could be used for improving state intervention in a number of other domains (Assoukpé, 2011: 94-95) and particularly that the voter cards could in the future be recognized as an ID for general purposes (COS-LEPI, 2013). In the original plans of the Beninese government, synergies should have been established between voter and civil registration through the bias of a Recensement Administratif à Vocation Etat Civil (RAVEC, Administrative Census aiming at Civil Registration). Launched in 2006, the RAVEC had however to be interrupted due to lack of funding. The data gathered during the RENA and the biometric enrolment do not appear to be automatically exploitable for civil registration (Sangaré, 2012: 42).

While the LEPI process has thus succeeded in producing a new and better voter list, he has thus been less successful in achieving its other two objectives: the improvement of the political climate and administrative modernization. However, as time has passed from the 2011 elections a more consensual mood has emerged (COS-LEPI, 2013). There is currently a general recognition that voter registration should not be restarted from scratch but that the LEPI needs to be refined and improved, especially with a view to assign electors to the right constituencies for legislative and local elections. In a few years thus, the balance sheet of the LEPI may look more positive than it is now.

3.2 Voter registration in Côte d'Ivoire

While Benin conducted the LEPI process as part of an effort aiming at consolidating its democratic process, the history of voter registration in Côte d’Ivoire is deeply intertwined with the history of the political crisis and then open conflict that has marred the country since the end of the regime of its first president and long-term autocrat Félix Houphouët-Boigny.

Under single-party rule, Côte d’Ivoire was regarded as one of the most economically successful and administratively developed country of West Africa. However, Côte d’Ivoire shared with its West African neighbours the problem of the weakness of the civil registration system, which in its case was aggravated by the existence of a considerable immigrant population, coming
especially from neighbouring Burkina Faso and Mali, attracted by the relative economic prosperity of the country. (Crook, 1995; Dembelé, 2003).

The issue of the inscription of foreigners on the voter roll became a prominent one with the first multi-party elections in 1990 and the death of Houphouët-Boigny in 1993. The 1990 and following elections were held with a consolidated list compiled by the Institut National de Statistique (INS). However, both the neutrality of the INS and the accuracy of the list were frequently contested (Crook, 1995; Former INS official, personal communication, 2013). This period also saw the raise of a new opposition party, the Rassemblement des Républicains (RDR), which received the support of former Prime Minister Alassane Ouattara. The RDR was popular among Northern Ivorians, culturally close to Burkinabe and Malians, and second generation immigrants, while Ouattara was accused by his rivals of being himself of Burkinabé origin (Akindès, 2006; Cutolo, 2010).

The problem of the identification of the population for general purpose and of voter registration were deeply intertwined. Foreigners were accused to have falsified or irregularly obtained birth certificate and national IDs and to have used them to unduly register to vote (Crook, 1995; Losch, 2000; Dembelé, 2003). On the other hand, the RDR was concerned with the possible exclusion of entitled voters as a consequence of misguided attempts to ‘clean’ the roll, especially since Laurent Gbagbo, elected in 2000 in a contested poll where Ouattara and other major candidates were prevented from running, launched a controversial process of identification of the population (Marshall, 2006: 26). Northern Ivorians’ feeling of being stripped of their citizenship rights was a major factor behind the 2002 rebellion of the New Forces (NF), which casted the country into a prolonged period of territorial division and political paralysis.

The Ivorian conflict came rapidly to a military stalemate because of the intervention of French peace enforcement mission Licorne. However, a viable peace agreement was found only with the 2007 Ouagadougou Political Agreement (OPA) (Republic of Côte d’Ivoire, 2009). The OPA set the principle of identification of the population based on the electoral list, thus providing for a joint voter registration and identification process (Adou and Moktar, 2012). Differently from Benin, Côte d’Ivoire could employ the 2000 electoral list as a baseline and did not need a new electoral cartography. However, since a birth certificate was needed to register as electors, a preliminary phase was envisaged for reconstructing the civil registries damaged or destroyed during the war and for granting to citizens who did not hold a birth certificate the possibility to be delivered one through a judicial procedure. This process had already started before the conclusion of the OPA with the creation of mobile courts, holding the so called audiences foraines (countryside hearings). The joint identification and voter registration process properly speaking
involved the collection of biometric data of citizens aged at least 16 and the production and delivery of national ID cards with biometric features to all those registered and of voter cards to citizens aged more than 18.

Because of past allegations that foreigners were illegitimately enrolled on the list, however, the provisional voter roll was not only to be cleaned from doubles using biometric technology but also cross-checked with the 2000 electoral list and with a series of ‘historical registries’ of the Ivorian state, in order to establish the citizen status of the potential electors (Adou and Moktar, 2012; IEC official, personal communication, 2013). Moreover, in order to reassure the former conflict parties, the responsibility for the process was split among different actors. The so-called pre-identification process was conducted jointly by the Ministry of Justice and Human Rights and the Ministry of Home Affairs. As for voter registration properly speaking, the INS was retained for technical expertise, but the direction and supervision role was given to the Independent Electoral Commission (IEC), created in 2006 and staffed by representatives of Ivorian political parties and former insurgents. Two additional bodies were in charge of the identification process for general purpose, the Commission Nationale de Supervision de l’Identification (CNSI) and the Office National d’Identification (ONI) (Adou and Moktar, 2012; IEC official, personal communication, 2013). French enterprise SAGEM was awarded a tender to provide the biometric technology and produce new safer national IDs cards. The selection of SAGEM was to become a long term controversial matter, as the tender was very generous and surrounded by rumours that it had been awarded either on grounds of corruption or political considerations (president Gbagbo was trying to improve his strained relationships with the French government).

Also because of the polemics on SAGEM contract, external donors refused to bear a major share of the joint voter registration-identification process (Barry and Konaté, 2013). Limited logistical assistance and security guarantees were nevertheless provided by the United Nations Operation in Côte d’Ivoire (UNOCI) (UNOCI, personal communication, 2013) and the EU and the World Bank supported the pre-identification process. Moreover, the Special Representative of the Secretary General of the UN in Côte d’Ivoire (UN SRSG) was supposed to certify the new electoral list.

The process was long and cumbersome. The *audiences foraines* were held in five slots between May 2006 et May 2008. 718 948 requests were presented, resulting into 696 561 birth certificates delivered and 32 423 rejections (UNOCI, personal communication, 2013). The reconstruction of the civil registries also resulted into the delivery of 250 366 attestations. On September 2008, the process of identification was launched. Voter registration was long and chaotic. Instead of lasting forty-five days, as originally planned, the collection of data extended up
to nine months, among interruptions and resumptions (The Carter Center, 2008). It was however with the processing of the biometric data in October 2009 that a major issue came out. 1 033 985 people whose names could neither be found in the 2000 list and in the historical registries nor identified as doubles or foreigners were excluded from the provisional voter list, hence labelled White List, while a Grey List was created for gearing their case (UNOCI, personal communication, 2013). In an attempt to solve the situation, Robert Beugré Mambé, president of the IEC, instructed its staff to carry a new cross checking using additional state registries, but was accused by Gbagbo’s supporters to have mismanaged the process. The crisis resulted into Gbagbo dissolving the IEC and the government in February 2010, casting the electoral process in an even more serious paralysis (ICG, 2010).

Eventually, a compromise was found with the nomination of a new IEC president, former Foreign Affairs Minister Youssouf Bakayoko, and the inscription of about 400 000 people from the Grey List into the White List. In the end, the voter registration and identification process resulted into the inscription on the final voter roll and the delivery of elector cards and national IDs to 5 725 722 Ivoirians, while an additional 207 213 Ivoirians aged between 16 and 18 years old were delivered a national ID only. A political consensus around the voter list was reached, resulting into its certification by the UN SRSG on 24 September 2010. (UNOCI, personal communication, 2013).

This compromise made eventually possible the holding of the post-conflict presidential elections, which were hold in two rounds on 31 October and 28 November 2010. The electoral operations properly speaking went on as planned, with sporadic troubles but without major disruptions. However, the refusal of president Gbagbo to acknowledge his defeat, as well as the ensuing conflict between the IEC and the Constitutional Council, loyal to the outgoing president, plunged the country into a renewed crisis. The conflict was eventually ended in April 2011 by the joint intervention of UNOCI and of the French military operation Licorne and by the capture of Laurent Gbagbo, but resulted into the death of about 3000 people (Piccolino, 2012; Piccolino, 2014). In the end, thus, while the compilation of a voter list accepted by all the conflict participants was a necessary prerequisite for holding elections, it was per se unable to guarantee the acceptance of the election result.

Also in view of this, several observers have questioned if the rather exorbitant cost of the Ivorian voter registration and identification process has been justified by its results (Carter Center, 2012: 31). Because of the continuous delays in the process the expenses levitated. IEC and UNDP estimates put the cost of the joint voter registration and identification process at about 239 million EUR or 312 million USD (Adou and Moktar, 2012; Barry and Konaté, 2013). Most of this sum was
absorbed by the SAGEM contract, which increased with respect to the initial bid and reached 203 million EUR or 266 million USD.

In addition, the Ivorian voter roll had several serious shortcomings. 601,322 potential electors remained on the Grey List and were excluded from the vote. Following INS estimates, the list would have covered less than 73% of the potential voting population in 2010 (Carter Center 2013: 30). The coupling with the identification process, which in theory was a compulsory process aiming at universal coverage, made this shortcoming of the list particularly worrying (Carter Center 2013: 31). Moreover, the list had no update mechanism built-in and the Ivorian 2011 legislative elections and 2013 local elections were held with the 2010 list, excluding many new majors (Bouquet and Kassi-Djodjo, 2014). It appears that election management officials are looking forward at the 2014 general census of the Ivorian population as an occasion to compile a new – and better – voter roll (IEC official, personal communication, 2013).

In short, it seems that all along the post-conflict period, the necessity to find a political consensus was prioritized in Côte d’Ivoire over the comprehensiveness of the list, its financial sustainability and its potentially positive impact on administrative modernization. In retrospective, some Ivorian election officials deplore the choice of coupling the processes of voter registration and identification. They argue that this has contributed to the extreme politicization of the process, reinforcing, rather than solving, the ‘war of who is who’ (Marshall, 2006) and, ultimately, generating delays and excessive expenses (IEC, personal communication, 2013).

3.3 Voter registration in Ghana

Ghana and Côte d’Ivoire have been frequently compared, but, while Côte d’Ivoire has failed in the ‘90s its transition to multi-party democracy and slipped into a long lasting internal crisis, Ghana is frequently heralded as a ‘success story’ for its relatively successful democratic system and its good economic growth record. A former British colony, Ghana has a different institutional heritage than its French-speaking neighbours. The percentage of children registered at birth in Ghana is in line with the rest of the region – 71.2% according to the Ghana Demographic and Health Survey (Ghana Statistical Service and Ghana Health Service, 2008) – but national IDs have been introduced more recently than in the French-speaking countries (Breckenridge, 2010: 646).

Ghana computerized its voter registry in 1988 (Oltved, 2010) but, like in Côte d’Ivoire, the issue of voter registration has become prominent only with the first multi-party election in 1992. These elections were hotly contested and the quality of the voter registry was a particular cause of concern (Lyons 1999: 69). Many voters enrolled on the list did not have identity documents at all, and were admitted to vote at polling stations on mere self-attestation.
As controversy about elections threatened Ghana’s transition to democracy and political stability, a series of steps were taken to make elections more reliable and donors became strongly involved in the Ghanaian electoral process. A major breakthrough came with the installation in 1993 of an independent and permanent Electoral Commission (EC). The role of the Ghanaian EC, whose composition and organization has not changed significantly since 1993, is key to understand Ghana’s success in improving election quality (Jeffries 1998; Holtved, 2010). The particularity of the Ghanaian EC is that, differently from the bodies that have overseen voter registration in Benin, Côte d’Ivoire and other African countries, it is not composed by representatives of political forces elected for a term but by permanently appointed staff independent from political parties. Dialogue with political actors takes place through the Inter-Party Advisory Committee (IPAC) (Jeffries, 1998: 197). Even when the voter registry has been contested or criticized, the EC has been generally regarded as professional and legitimate by the public (Jeffries 1998: 198; Whitfield, 2009).

With assistance by USAID and by IFES, as well as by other international donors (Smith, 2002; Holtved, 2010), the EC proceeded to compile a new voters' register in October 1995. Two significant innovations were introduced: voter IDs with pictures and Optical Recognition Technology (OMR) (Holtved, 2010). OMR allowed to automatically scan the forms compiled during the voter registration process in order computerize the data. Pictures were taken first with Polaroid and later digital cameras and the voter IDs were supposed to be delivered immediately at the moment of the registration, rather than collected at a later stage.

This system was employed by Ghana with little modifications until the 2012 presidential elections. While initially it was well accepted by the political parties and public, with the time certain issues emerged. There were concerns that people could register or, given the often low quality of pictures, vote more than once, using the names of voters that had died or had moved. Registration of minors and foreigners was also a problem (Holtved, 2010; Jockers, Kohnert and Nugent, 2010; Ichino and Schündeln, 2012). The EC tried to clean up the registry. In a single instance in 2004, for example, 130 000 names were deleted (Ghanaian former election official, personal communication, 2013). Procedures aiming at avoiding double voting, such as the application of indelible ink on the voters’ fingers, were also introduced (Holtved, 2010).

The 2008 elections, however, came as a watershed. There was a real concern that even sporadic fraud could have altered election results, as the final difference in votes among the two presidential candidates in the second round was minimal: less than 50,000 votes over 9 million votes casted (Ichino and Schündeln, 2012; Jockers, Kohnert and Nugent, 2010). The voter roll was particularly controversial. The EC was expecting to update it by adding about 800 000 people:
instead, 1.8 million turned out (Ichino and Schündeln, 2012; Jockers, Kohnert and Nugent, 2010). The Coalition of Domestic Election Observers (CODEO) conducted a specific mission to observe the registration process and concluded that it had been marred by violence and irregularities (Ichino and Schündeln, 2012). Although major troubles were eventually avoided, the 2008 elections convinced the EC that a major improvement in the voter registration system was needed.

Initially, the EC hoped that a breakthrough would have been brought by through the implementation of Ghana’s parallel process of biometric civil registration. The collection of biometric data for general identification purpose, which had been for a long time planned and delayed, started in 2008. The process was supposed to result in the delivery of national IDs with biometric features to all citizens aged more than 15, which should have been also employable as voter IDs after achieving universal coverage. Although the EC was initially willing to carry out itself the civil registration exercise, feeling that it had the necessary expertise to do that, the process was entrusted for political reasons to an ad hoc National Identification Authority (NIA) (Ghanaian former election official, personal communication, 2013). Differently from the EC, however, the NIA had not an established network of local branches and was obliged to shift its mobile teams around the country (Breckenridge, 2010; Ghanaian former election official, personal communication, 2013). In December 2008 NIA started to have problems of funding. The civil registration process de facto came to a halt and has not been fully implemented since (Breckenridge, 2010).

Against this backdrop, the EC decided to carry its own project of biometric registration, in order to have a new voter registry ready for the 2012 presidential elections. The EC aimed not only at employing biometric to vet and de-duplicate the data, as in Benin and Côte d’Ivoire, but also for the identification of voters at polling stations, which was to be performed by scanning the voters’ fingers with verification machines. This solution was particularly appropriate to deal with issues of multiple registrations and impersonation, although it could not solve the problem of registration by foreigners or minors. The EC chose not to use the biometric machines already bought by the NIA because it considered them outdated. It instead purchased slap scans that could take the fingerprints of all ten fingers, thus minimising errors (Gelb and Clark, 2013). The tender process was strict, with 47 companies screened before the decision to award the bid to STL/HSB/Genkey company (Ghanaian former election official, personal communication, 2013).

The registration of voters was fairly successful. 14 060 573 people were registered in only 40 days. The provisional list was then put on display and a number of voters were subtracted or added following objections on the list, leading to a final electoral list including 14 031 793 people, which was ready in time for 2012 presidential elections. The process also received a positive
assessment by CODEO and by the general public (CODEO, 2012a). According to a survey conducted by CODEO among Ghanaian registered to vote, 78% of respondents agreed the biometric registration represented a remarkable improvement with respect to the old system and 87% of respondents considered it a useful tool for promoting credible and peaceful elections (CODEO, 2012a).

Also thanks to the confidence of the public in the new system, the 7 December 2012 elections went smoothly (Pryce and Oidtmann, 2014). The implementation of the new biometric system on election-day experienced however certain technical difficulties. CODEO reported that biometric machines failed at some point during voting at 19% of polling stations, with some districts experiencing particular problems (CODEO, 2012b). In response to these problems, the EC took the decision to extend the voting of one day. The major negative consequence of the new biometric system seems to have been the steadily increase into non-valid votes: the number of rejected ballots has reached over 250,000 or 2.24% of those casted (Kelly and Bening, 2013). The NPP filled a complaint, which has now been rejected, at the Ghanaian Supreme Court. Interestingly, while it alleged electoral irregularities, the complaint in fact reinforced the legitimacy of the biometric registration system, accusing poll officials of not having verified biometrically the identity of electors in a number of stations (Kelly and Bening, 2013).

With respect to Benin and Côte d’Ivoire, Ghana appears to have been successful in using technical innovation not only to improve the quality of its registry but also to appease political tensions. A cause of concern is, however, the cost of registration, which has not ceased to grow since the ‘90s, first because of the replacement of Polaroid Cameras with digital ones (Holtved, 2010) and then the introduction of the biometric system. The costs of the 2012 exercise are estimated at 149 million CEDI, or 53 million USD (Ghana Election 2012 Website, 2012). In positive, however, that Ghana has become progressively more independent from donors. While donor support was massive until 2004, the 2012 biometric devices have been purchased entirely with national funding (Ghanaian former election official, personal communication, 2013).

The enthusiasm for Ghana’s success in voter registration should be also mitigated by looking at the failure of Ghana’s civil registration scheme, which has forced the EC in investing in a parallel biometric registration process, causing a duplication of costs. However, also because of this failure, the voter registration database is particularly important to Ghana. Indeed, it is considered the most reliable of the country and has found an application in a number of non electoral domains. It has been employed by the commercial banks, by the Ghanaian revenue service, by educational institutions (Ghanaian former election official, personal communication, 2013). Thus, even if
expected synergies with civil registration have not materialized, Ghana’s voter registration process has also been beneficial to the administrative capacities of the country as a whole.

4. Conclusions

The so-called Third Wave of democratization has meant the introduction of competitive elections to countries that have long been lacking the capacity to develop the accurate systems of registrations that are an attribute of the modern state, such as most countries of Sub-Saharan Africa. These states have experienced major difficulties in developing a reliable voter registry, which have jeopardized the quality of elections and ultimately the process of democratic consolidation itself.

In order to overcome these difficulties, many African countries have introduced a number of administrative and technological innovations to their voter registration process. The costs of these reforms, partly sustained by national governments and partly by donors, have been very high for countries that rank among the poorest of the world, especially when biometric technology has been involved (Gelb and Clark, 2012). It is thus worth asking if the modernization of voter registration has been worth the money poured. It is important to stress that, in the intentions of their proponents, technical and administrative reforms have not only aimed at improving the voter register per se but first of all at supporting the peaceful consolidation of democracy. Productive synergies with civil registration and other administrative processes have also been often an expected by-product.

The problem is that the goals pursued by voter registration reform have not been always complementary among them, nor technology has always proven the most appropriate way to achieve these objectives. The cases of Benin, Ghana and Côte d’Ivoire show that similar technical reforms – such as the introduction of biometric technology and of voter ID cards with pictures – can lead to different outcomes and that the context of the launch of reforms and the internal ownership and governance of the process matter more than the content of the reforms themselves.

It is important to highlight that, although voter registration is in most of the cases non compulsory, in countries that lack a proper civil registry and where most citizens do not hold a national ID, voter registration can be seen by citizens as the easiest way for citizens to obtain an identity document. In all the three countries studied, one powerful motivation for citizens to register has been the expectation to get an ID for the first time (Ghanaian former election official, personal communication, 2013; Ivorian IEC official, personal communication, 2013; Assoukpe, 2011). Thus, the voter registration process itself can be perceived as producing citizens and non citizens, rather than the other way around.

However, a considerable, although underestimated risk, is that ‘safer’ registration systems may trade accuracy and currency for comprehensiveness, resulting in the legal disfranchisement of
voters (Gelb and Clark, 2013). This is a phenomenon that has been observed even with respect of other technical reforms aiming at making elections ‘cleaner’ (Schaffer, 2002). A case in point has been Côte d’Ivoire, where the politicization of the citizenship question led to the adoption of a burdensome and time-consuming method to determine the nationality of applicants. The cross-checking of the registry has arguably been unable to capture all the Ivorian nationals, especially young people who recently attained 18 years old. The result has been the exclusion of many potential voters, confined to the so-called Grey list.

A second problem is that ‘cleaner’ elections do not automatically translate into better accepted elections. Even when politicians openly blame the inaccuracy of the voter register, this may not be the only reason or the main reason for the contestation of election results, and improving voter registration may do little to appease the political environment. Furthermore, the introduction of a new system, even when this is in fact ‘safer’, may generate mistrust in those who are used to the old system, particularly when advanced technology is involved. While in Ghana the efforts of the EC to improve the voter registry appears to have had a positive impact on the political climate, in Côte d’Ivoire the incumbent president refused in the end to accept the election results in spite of having previously agreed that the voter list was acceptable. In Benin, the previous, very unreliable voter registration system, generated paradoxically less contestation from political parties than the new and safer voter registration system.

Some problems arise also with respect to the impact of voter registration on state capacity at large. There are documented cases of countries where voter registration has had beneficial spill over effects on other aspects of state capacity (Slater, 2008: 265). However, many current projects may not have an equivalent potential (Szreter & Breckenridge, 2012). In fact, these projects can drawn financial resources from other important sectors and lack technical and financial sustainability. Both technical and organizational shortcoming and the tense political environment surrounding voter registration may make impossible to exploit its gains in other administrative domain. A case in point is Benin, where the controversial character of the LEPI and certain, perhaps inevitable, technical shortcoming are making the exploitation of the data for non electoral purposes difficult. A particular case is the connection between voter registration and civil registration. While the Ivorian case seems to highlight the risks of conducting the processes of voter registration and identification jointly, in the case of Ghana it is rather the decision to keep the two processes separate that seems to have had negative implications, leading to the failure of identification and the duplication of financial efforts.

Ghana’s relative success might be attributed in particular to two factors. Its voter registration system has evolved incrementally, with the gradual introduction of technology at different levels of
sophistication, rather than with a ‘great leap forward’, brought by under the input of donor intervention (Benin) or a major political crisis (Côte d’Ivoire) (Holtved 2010). Another key to Ghana’s success has been the role of the Ghanaian EC, which is not a political body composed by party representative, but a permanent professional administration. Its staff is not only recognized by the public as impartial, but has developed a considerable technical knowledge over time. Both in the case of Benin and Côte d’Ivoire, on the other hand, the fact that voter registration was managed to a large extent by political representatives has had a series of negative consequences on the process. Trust in supervision institutions has been low and the political and non permanent character of these bodies has prevented institutional and technical learning.

In conclusion, although the trend towards the reform of voter registration system and the introduction of biometric technology in Africa seems irreversible, national government and donors should perhaps better consider what the advantages of a new sophisticated voter registration process would be and if the money are well invested. As voter registration becomes an increasingly complex technical matter, more emphasis should be put on creating local institutions that are both politically legitimate and technically able to handle the process, rather than relying on ad hoc arrangements or outsourcing responsibility for voter registration to external consultants and vendors.
Acknowledgements (to be inserted here) have been removed in order to ensure the anonymity of this paper.

References


Coalition of Domestic Observers (CODEO), 2012a. Final Statement on the observation of the nationwide Biometric Voter Registration (BVR) exercise


