

Chapter 3

Preparations for the Poll

The Electoral Commission which was established in December 1993 had to initiate preparations for the elections immediately after it was constituted.

Delimitation of Constituencies

The Commission's first major task was the review of constituency boundaries. Early in February 1994, members of the Commission toured the country to examine the existing boundaries and numbers of constituencies. In undertaking their examination, the Commissioners weighed the importance of population distribution, geographical features, means of communication and administrative boundaries, etc. Taking all these factors into account, the Commission created 36 more constituencies, increasing the total number from 141 to 177.

The constituencies were distributed within the 24 districts, in each of which the District Commissioner was designated to perform the function of Returning Officer for all constituencies in the district. The distribution of constituencies by district is shown at *Annex XI*. The delimitation exercise was accepted by the political parties.

Registration of Voters

The electoral system of Malawi required that voters' registers be compiled for each constituency. The registration process for the parliamentary and presidential elections started on 21 February 1994 and was scheduled to be completed on 12 March 1994. The initial response was extremely poor, however, and by the end of the stipulated period, no more than 30 per cent of eligible voters had registered. The operation was therefore extended until 26 March 1994.

The reasons for the poor initial response were said to include an inadequate civic education programme and apathy on the part of eligible voters. Many voters were apparently convinced that their democratic duty had culminated in their support for multi-partyism at the June 1993 referendum. Others pointed out that they had already elected their President at their respective party conventions earlier in the year. As the Interim Report of the Electoral Commission stated, intimidation in some parts of the country may also have contributed to the low initial turnout.

During the extended period, with the help of political parties and NGOs, the Commission redoubled its efforts to have qualified persons registered. These efforts succeeded in bringing about a considerable increase in the total number of persons registered, which finally totalled 3,762,239, estimated by the JIOG to be about 80 per cent of the actual eligible electorate.

Complaints about the Registration Process

The security forces were not allowed to register at the outset, but in the case of soldiers, the reservations of the Ministry of Defence were withdrawn following a ruling by the Commission. The police authorities, however, persisted in their resistance to allow members of that force to register and relented only after the registration process had concluded. The register had to be re-opened to enable members of that force to register. In the event, only a few hundred police personnel appeared to have registered.

We heard charges and countercharges by the largest political parties that each had been buying voters' registration certificates. Each of these parties told us that its complaints had been lodged with the Electoral Commission but that the Commission had taken no action. The Commission, on its part, said that it had brought the complaints to the attention of the

police and expressed dismay at the lack of expeditious action in this regard by the police and the Attorney-General. Where voters' registration certificates were lost or where the holder was improperly deprived of his/her certificate, provision existed for a duplicate certificate to be obtained by application. We were unable to get any reliable estimates of the number of registration certificates that may have changed hands in this manner but our impression was that it was not significant.

We also received reports that in some areas of the country, Chiefs and Headmen held registration certificates for 'safe keeping'. Despite the seriousness of these complaints, none of the political parties felt that the voters' registers were unsatisfactory or would adversely affect the outcome of the elections.

Nominations

The procedure for nomination of candidates for the parliamentary elections attracted criticism from the smaller political parties. Some pointed out, for instance, that the nomination fee of 250 Kwacha (£25) was too high for a country where per capita incomes are still very low. The Electoral Commission expressed the view that the fee was not unreasonable since too low a fee could tempt persons with little or no support to clog the electoral process.

Some political parties complained that nomination forms had not been available until two days before nomination day and that there was no arrangement for party representatives or candidates to obtain the papers from the District Commissioner with dispatch. Some candidates did not have the means of private transport to collect the forms and obtain the requisite number of signatures within the time available.

The Electoral Commission explained that the delay in printing the nomination forms had resulted from a request by the NCC for amendment of the provisions in the electoral law relating to nominations. The NCC had apparently not indicated to the Commission that the amendment would apply only to the nomination of presidential candidates and would not affect the nominations for Parliament. The Commission had appreciated the difficulty caused to some parties and candidates as a result and had taken remedial action where possible. The Commission also indicated to us that the possibility of changing the election date had been contemplated but the NCC had not viewed this idea with favour.

Some parties expressed dissatisfaction with the English language test which prospective candidates had to pass as a condition for successful nomination. A large number of prospective candidates was reported to have failed the test and the parties concerned had to find new persons at the last minute.

The Commission on its part complained that some parties and their prospective candidates had been too preoccupied with campaigning and did not devote enough attention to the nomination requirements until it was too late. It also pointed out to us that the larger parties which contested all or most of the parliamentary seats apparently had little problem in putting up candidates in all constituencies.

Civic Education

The Electoral Commission mounted an imaginative civic education programme during the registration exercise and subsequent preparations for polling day. During the registration exercise, the programme was aimed at encouraging qualified persons to register. Several media were used, including radio messages, video films, drama, songs, and poems. The programme was ably supported by church groups and NGOs.

In preparing voters, the Commission produced hand-outs explaining the importance of voting and the general concept of democracy. A major drive, designed to urge voters to go to the polls, was launched. Car stickers, personal stickers, special franking stamps with messages on payment bills for water and electricity were used to encourage people to cast their vote. One poster read: 'Cast Your Vote – Every Vote Has Value' (see *Annex XII*). Three buses were painted with the same message.

Voter education... posters illustrating party symbols and explaining the voting system

The Commission also prepared and distributed posters explaining the voting procedures in 17 steps, which were distributed throughout the country (*Annex XIII*). All political parties contesting the elections were requested to help in the distribution of the posters to their supporters.

Considerable use was made of the radio, the primary medium of mass communication in Malawi, to reach voters throughout the country. Besides programmes in Chichewa (the main local language) and English, the Commission used the languages of the Sena, Lomwe, Yao, Tonga, Tumbuka and Nkhonde to deliver messages to the electorate. The print media was also extensively used to get across the message that people should vote.

Despite the strenuous efforts of the Commission, there were complaints that the civic education programme had been deficient. As has already been pointed out, inadequacies in the civic education programme were part of the reasons cited for the low turnout of eligible persons for registration. Some of the political parties pointed out that many voters in the rural areas were either without radios or could not afford batteries for radios and so could not listen to the voter education messages. In the ultimate analysis, the time available for civic education was probably too short against the background of an electorate accustomed to three decades of one-party rule.

Electoral Officials

The Electoral Commission called on a host of civil servants, teachers and others to assist in the electoral process. As mentioned earlier, District Commissioners were appointed as Returning Officers. Presiding Officers and other polling staff were selected from among functionaries in various government departments as well as teachers. Since polling stations were to be located mainly at schools, the Headmasters were in many instances recruited as Presiding Officers. In cases of Polling Centres with multiple polling stations, Supervisory Presiding Officers were appointed. Considerable time and effort were invested in briefing polling staff and the United Nations Electoral Assistance Secretariat (UNEAS) assisted the Electoral Commission in producing an excellent manual for use by these officials.

It should be mentioned, in this context, that four experts provided through the Commonwealth Fund for Technical Co-operation greatly assisted the Commission in its preparations for the elections. Three of them – Joycelyn Lucas of Trinidad and Tobago, Clover Thompson of Jamaica and Albert Arhin of Ghana – helped train trainers of electoral officials. Jennifer Cash, a British electoral expert, assisted with the voter education effort. The Commission expressed gratitude to us for the valuable role played by these Commonwealth experts.

