

Review

Voter registers and the question of inclusion and exclusion in Tanzania's multiparty elections: Learning from observers' revelations

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This essay is an inquest to voter registration process in a multiparty Tanzania. The main question that this essay attempts to answer is whether or not the introduction of permanent voter registers in Tanzania has resolved registration controversies. These registers were purposely created in order to address registration problems that were observed by elections stakeholders during the 1995 and 2000 general elections. Through a review of various elections observers' reports on 2005 and 2010 general electionsⁱ, we conclude that despite some improvements such as the establishment of a permanent voters' database, voter registration in the country is still marred by numerous anomalies such as a denial of some eligible voters of their registration rights. Likewise, others who register find themselves being disqualified from voting on different grounds, as election observers' reports have revealed. From this general observation, it is very fair to argue that Tanzania is yet to be an exception in the mishandling of voter registration, a plague that continues to smudge the image of elections in Africaⁱⁱ.

Key words: Voter registers, election observers' reports, registration, political parties, disenfranchisement.

INTRODUCTION

One of the key features of free and fair elections in contemporary democracy is the guarantee of actors' freedom in the electoral processes. The main thesis of this paper is therefore that any democratic election is an accumulation of a series of processes and events that require full participation all key stakeholders. While political parties will be preoccupied with nomination and support of their candidates participating in the race and while the civil society will play both the advocacy and watchdog roles, voters stand to be the main stakeholders in the electoral processes. What makes them to acquire this status is the fact that they have double roles. The first role is that of electing their representatives to serve in public offices for a specified timeframe. The second one is the oversight role as expressed in the notion of overhead democracy. It is on the basis of these roles that

voters are expected to have a significant influence in the electoral processes. In Tanzania, the role of voters in elections has correspondingly varied in accordance with the country's political history. For instance, during the colonial period, the role of voters in elections was restricted as it was the colonial state that determined and dictated the electoral framework. On that basis, citizens' participation in elections was not a given phenomenon as majority of natives found themselves sidelined from the electoral processes. For instance, in an attempt to reduce the number of native voters, the colonial state introduced the voter qualification requirement that massively denied poor natives of their voting rights. This requirement was supported by other rules such as the parity principle which advocated for multiracial voting as a strategy to ensure that the minorities such as Europeans and Asians

were represented in the legislation council. Upon Tanzania's attainment of independence in 1961, those who were disenfranchised by the colonial state reclaimed their voting rights and thus were free to vote in general elections. Although the elements of control were still seen especially following the country's introduction of a single party rule, the participation of citizens as voters was relatively high. The controls from the state and the party were largely meant to ensure party hegemony and thus did not suggest any sense of disenfranchisement strategy. Furthermore, even if there were some individuals who were deliberately disenfranchised, their cries could not attract public sympathy as all citizens were expected to vote for the only ruling party. In other words, the party had no any competitors.

Nonetheless, since the reintroduction of multiparty politics in Tanzania in 1992³, the concerns over disenfranchisement have been steadily growing especially from the opposition parties. The argument of the opposition parties is that the ruling party is deliberately disenfranchising their supporters in order to consolidate its stay in power. It is on this basis that electoral results in both Tanzania mainland and Zanzibar that have repeatedly declared the ruling party as outright winners are always contested. Following the growing electoral discontent from election stakeholders in Tanzania (Mainland and Zanzibar), a decision to introduce the Permanent National Voter Register (PNVR) for mainland Tanzania and Permanent Voter Register (PVR) for the case of Zanzibar was made. The two permanent voter registers were expected, among others, to curb the disenfranchisement allegations and the claims over ghost voters. Furthermore, the general expectation following the introduction of PNVR and PVR was the increase of transparency levels in the conduct of elections especially in ensuring that all eligible voters as per the country's constitution exercise their democratic rights. Using Election Observers' reports, this essay thus aims at exploring whether or not the introduction of permanent voter registers has managed to curb previous registration irregularities that were lamented by election stakeholders. In the course of answering the above question, this essay seeks to accomplish two main tasks. The first one is to identify and categorize the main anomalies characterizing voter registration in Tanzania as unveiled by both domestic and international election observers since 1995 and the second task is to briefly discuss those anomalies and point out some lessons that can be learnt from the conduct of voter registration in the country. The essay draws experience from both Tanzania mainland and Zanzibar.

VOTER REGISTRATION: A REVIEW OF SOME LITERATURE

Voter registration is one of the very important preliminary

stages in the run up to elections⁴. It is through this process that those who have the right to vote are identified. Pintor and Gratschew (2002:23) maintain that voter registration is crucial for political participation in a democratic context and that there ought to be a guarantee that the right to vote is universal, equal, direct and secret. By definition, voter registration is a process where the electoral management collects data of those individuals who are eligible to vote (Bodnár and Kaszás, 2009:13). Individuals who are eligible to vote are the people who meet the suffrage requirements such as minimum age, residency and citizenship established by constitutions or electoral acts⁵. The end product of voter registration is the voter register which contains the data of every voter in a given country. The related definition of voter registration is offered by Evrensel (2010:6) who defines the exercise as the process of registering eligible voters in which voter register is the result of this process. Given its importance in the democratization process, voter registration has to be accurate, sustainable and politically acceptable⁶. Before the elections, the data of voters are assigned to specific polling districts which results in voter lists⁷. On that regard, elections can be conducted without voter registers but not without voter lists⁸. There are various functions of voter registers and some of them are enumerated below by Bodnár and Kaszás (2009:9-12). It should be noted that apart from specific functions, the main function of a voter register is to provide a proof of the individuals who have the right to vote. Specific functions of voter registers include; helping to ensure that every person casts only one ballot thus avoid double voting, they allow voters who are away from their homes to vote on the election day, they also provide the right for individuals to be elected in countries where one is required to be registered before vying for public offices. Other functions of voter registers include, financial planning of an election as they establish the number of voters, guaranteeing registered individuals certain rights such as making decisions concerning nominated candidates and electoral lists and to publicly ask nominated candidates questions.

In discussing the importance of voter registers, Pintor and Gratschew (2002:24-25) argue that in a democracy voter registers constitute a complete description of the people (demos). They thus highlight the main attributes of voter registers. One of the attributes of voter registers is that they should be universal in the sense that they should include every eligible adult person belonging to the citizenry. Voter registers should also be equal meaning that all eligible voters must be included in the registers without discrimination. They should also ensure that the right to vote by every citizen is directly exercised at the polling station. Voter registers are expected to guarantee secrecy of votes by doing away with intimidation and fraud practices. Furthermore, they must be comprehensive in that voter registration exercise should aim at registering all eligible voters (Evrensel,

2010:11). These registers must also be accurate which means that all voter registration information should be recorded accurately and maintained properly in order to ensure that voters' database is up to date⁹. Other attributes of voter registers include accessibility, transparency, security, credibility, stakeholders' participation, sustainability, administrative and political feasibility, cost-effectiveness, integrity and accountability¹⁰.

Similarly, Evrensel (2010:9) maintains that voter register is important on the following grounds; that it provides information that assists with election planning and logistics, sensitizes the public to their electoral rights, determines voter allocation to polling stations, allows for the calculation of electoral participation percentage, assists in demarcating constituencies and that it checks fraudulent attempts to vote. Despite being used as tools for guaranteeing voting rights to individuals, voter registers are sometimes used as disenfranchising tools. Pintor and Gratschew (2002:26) argue that cases of disenfranchisement largely affect the peasants, ethnic minorities, women, illiterate and the poor. In answering the question on why voter registration is sometimes difficult for eligible voters, Pintor and Gratschew (2002:26) insist that complicated registration procedures are put in place for two main factors. The first reason is an attempt by governments to prevent or discourage certain groups from voting. The second one is the complexity of identifying eligible populations after civil conflicts, including instances where the mere spelling of names might be a problem¹¹. Voter registration is mainly of two types namely; active and passive registration. Active voter registration involves voters giving their particulars to election officials whereas passive registration does not need inputs from voters in developing voters' roll (Evrensel, 2010:22).

As we have seen in this section, voter registration is a process that needs to be handled with great care. The significance of this exercise is that it determines individual's fate in the country's electoral processes. Voter registers that are compiled after the registration process thus need to be trusted and reliable documents to all eligible voters. Despite the importance of voter registration, there is still very little literature on African elections that focus specifically on the inclusiveness of eligible voters in voter registers. As a result, most of the literature takes the western perspective by focusing on other issues such as voter turnout and party politics in elections¹². This work is therefore an addition to this subject as it attempts to provide a live picture of voter registration in Africa, using Tanzania as a case study. Prior to that analysis, the next section below provide a brief history of elections in Tanzania.

CONTEXTUALIZATION OF TANZANIA'S ELECTORAL HISTORY

Tanzania is a state that is comprised of two governments

namely, the government of the united republic of Tanzania which caters for both mainland Tanzania and union matters; and the revolutionary government of Zanzibar which oversees Zanzibar. Prior to the union between the then Tanganyika and Zanzibar in 1964, the two existed as independent and sovereign states. Following that unification, sovereign powers were bestowed to the government of the united republic of Tanzania. Nonetheless, Zanzibar has the power to administer its own elections and it has its constitution, election laws and its own electoral commission.

The history of elections in Tanzania (mainland) can be traced since the colonial era. During this period, the elections that were held were for the members of the legislative council. In those elections that were held between 1958 and 1960 the country was under multiparty system in which Tanganyika African National Union (TANU) enjoyed popular support from the electorates. For instance, during the 1958/59 elections, TANU and TANU supported candidates won all open seats (Glickman, 1965:139), so was the case in 1960 elections where the incumbent party won 70 seats out of 71 contested seats¹³. One seat was won by an independent contested who also a supporter of TANU. The first presidential elections were held one year since the country attained its political independence in 1961. In the 1962 elections, TANU candidate Julius Nyerere defeated the candidate for African National Congress (ANC), Zuberi Mtemvu by a resounding victory of over 98% percent of all votes (McAuslan, 1964: 506). Following the abolition of multiparty system and the declaration that Tanzania was to be a single party state in 1965, the elections that were held thereafter witnessed TANU's candidate standing as the only and unopposed candidate. In the 1965 presidential elections Nyerere secured more than 96% of Yes votes, a commanding lead that was retained in subsequent elections. He obtained 96.93%, 93.25% and 95.56% of the presidential votes in the 1970, 1975 and 1980 elections respectively. As the country retained the single party rule even after Nyerere's retirement, his predecessor, Ali Hassan Mwinyi also stood unopposed in the 1985 and 1990 presidential elections where he garnered 95.68% and 97.78% of the votes respectively.

Single party rule was however abolished in 1992 thereby marking the reintroduction of multipartism in Tanzania. Since the reintroduction of plural politics, Tanzania has held four multiparty general elections and in all these elections, the ruling party CCM has emerged as a winner. During these elections, the level of competition between the incumbent party and opposition parties has been fluctuating as Figure 1 shows. The figure shows that during the 1995 general elections CCM's presidential candidate (Benjamin William Mkapa) won the election by 61.82% whereas his close two close rivals Augustine Mrema representing National Convention for Construction and Reform- Mageuzi (NCCR-MAGEUZI) and Ibrahim Lipumba representing

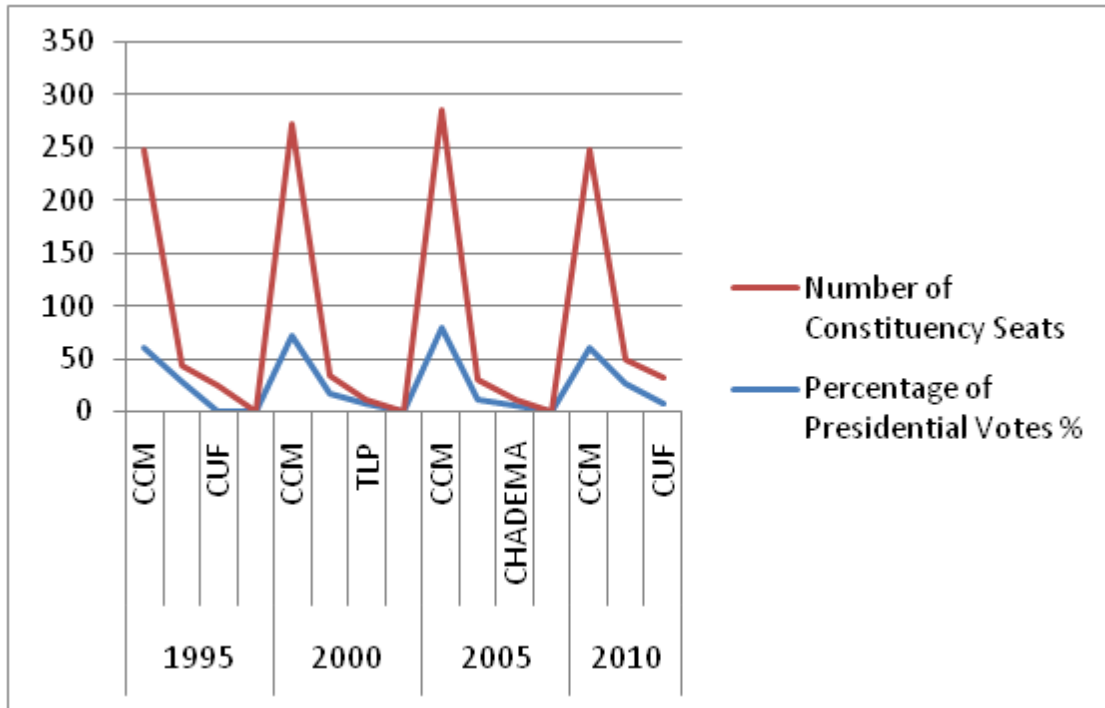


Figure 1. Presidential votes and parliamentary seats between CCM and main opposition parties from 1995 to 2010 in Tanzania.

Source: Author's compilation.

the Civic United Front (CUF) secured 27.77% and 6.77% respectively. CCM also won a majority of constituency seats during those elections as it got 186 seats whereas NCCR-MAGEUZI won 16 seats and CUF had 24 seats. In 2000 CCM won the elections with 71.74% and it was followed by CUF and Tanzania Labour Party (TLP) which won 16.26% and 7.80% of the votes respectively. The victory of CCM was also evident in the contest for constituency seats as it got 202 seats, CUF got 17 seats and TLP secured only 4 seats. CCM's winning streak in general elections continued in 2005 by winning the presidential race with 80.28%. On the other hand, CUF and Chama Cha Demokrasia na Maendeleo (CHADEMA) got 11.68% and 5.88% of the votes respectively. The number of constituency seats won by the three main parties was CCM (206), CUF (19) and CHADEMA (5). Likewise, in the 2010 general elections CCM's presidential candidate obtained 62% of the votes followed by CHADEMA and CUF which secured 27% and 8% of the presidential votes respectively. Like in previous elections, CCM retained its majority share of constituency seats as it got 186 seats, CHADEMA got 23 seats and CUF secured 24 seats. As the above figures have shown, the performance of opposition parties in Tanzania's multiparty general elections has been fluctuating. For instance, whereas opposition parties performed relatively better during the 1995 general elections, they scored little in 2000 and 2005 elections. The resurgence of opposition

parties' power was however witnessed during the 2010 general elections in which CCM faced stiff challenge from CHADEMA. The situation has been however different in Zanzibar elections where since the reintroduction of multiparty politics there has been high competition between CCM and CUF. Nonetheless in both Union and Zanzibar elections, the concerns over voter registration have been unfolding and it was on the basis of endless claims of irregularities in registering voters raised by opposition parties and other stakeholders that voter registers had to be introduced.

On the part of Zanzibar, elections were held since late 1950s and they were preceded by the formation of political parties such as the Zanzibar Nationalist Party (ZNP), Afro Shirazi Party (ASP) and Zanzibar and Pemba People's Party (ZPPP). The first democratic elections in Zanzibar were held in 1957 and ASP won by a narrow margin. Following the January 1961 elections in which there was no clear winner, another election was held in June 1961 in which an alliance between ZNP and ZPPP won 13 seats whereas ASP won 10 seats¹⁴. The 1963 elections that brought ZNP to power were contested by ASP on the view that they were rigged. It was on this basis that ASP overthrew ZNP government in 1964. In the same year, Zanzibar United with Tanganyika to form the United Republic of Tanzania. This was followed by a merger between ASP and TANU to form CCM in 1977. The conduct of elections in Zanzibar has been involving

two parallel elections in which voters vote for the union president and union members of parliament and at the same time they cast ballot to elect the president of Zanzibar and members of the representatives' council. Since the reintroduction of multiparty politics in Zanzibar there has been stiff competition between CCM and CUF that has at times been fatal. Despite the fact that CCM has been emerging as a winner, CUF supporters have always held a stance that elections are rigged by the incumbent party. It is on the basis of endless animosity between the two main parties that a government of national unity composing CUF and CCM was formed following the 2010 general elections.

THE INTRODUCTION OF PNVR/PVR IN TANZANIA: AN OVERVIEW

The establishment of the permanent national voter register for union elections was a reaction to political developments that had ensued since the country re-embarked on plural politics. As already noted in the introduction, the conduct of multiparty elections in Tanzania was flaunted by a lot of vices that indeed challenged the credibility of the whole electoral processes. For instance, in both the 1995 and 2000 general elections, the process of voter registration almost throughout the country was said to be ineffective. In discussing the weaknesses of the registration exercise during the preparations for 1995 general elections, Richey and Ponte (1996:80) point out that while the registration of voters was scheduled to start on 6th August to 4th September 1995, that deadline was extended to 14th September 1995 due to lower turnout of eligible voters. The source of low turnout for registration was said to be due to the mishandling of the voter registration exercise by the National Electoral Commission (NEC). There were also logistical problems such as delays in delivery or the insufficiency of registration materials and late payment of registration officials in some registration centers which slowed down the collation of voter registers (COG¹⁵, 1996:10). The repercussion of this ineffectiveness was frequent outbreak of complaints from opposition parties and other elections' stakeholders all revealing the mishandling of the voter registration exercise. Tanzania Election Monitoring Committee (TEMCO, 2006:2) categorizes these complaints into two types namely political and economic. Political complaints regarding voter registration included double registration, the registration of underage voters and the registration of non-citizens and ghost workers. On the other hand, the economic concern over voter registration was that a lot of money was being spent as voters were registered anew in every general or by-election. On that basis, the establishment of the PNVR/PVR was said to be a permanent solution to the above problems as it was, among other things, expected to reduce the costs for

elections, produce and restore a reliable list of voters, minimize complaints over double registration and selling of voting cards to eligible voters, enable the National Electoral Commission to make timely preparations for any type of elections and to provide a voter with a multipurpose card (TEMCO, 2006:3). It was on this basis that having the PNVR became an issue of priority.

With this commitment, Article 5(3) of the constitution of the United Republic of Tanzania and Article 12 of the Elections Act of 1985 were amended in January 2000 to allow for the establishment of the voter register. The process of getting the PNVR was finalized in 2004 following a series of amendments by the union parliament¹⁶. As a result of these amendments, NEC was legally empowered to establish the register. Some of the powers entrusted to NEC included the preparation and keeping in custody the Permanent Voter Register, to register all eligible voters, to make arrangements for accessibility of provisional voter register to voters, to issue voter identity cards and the coordination of voter education. NEC thus began the exercise of registering voters in 2004 and the exercise ended in May 2005 (TEMCO, 2011:19). Therefore the 2005 general elections were held using the PNVR. On the part of Zanzibar, the PVR was launched in 2004 and it was the byproduct of the second political accord (popularly known as Muafaka II agreement) between two major political parties in the isles namely Chama Cha Mapinduzi (CCM) and Civic United Front (CUF) (EISA, 2006:11)¹⁷. One of the items of that agreement was that the permanent voter register was to be put in place as early as February 2003. There were however some delays as there was an extension of almost two years. For these agreements to take effect, some legal backing was required. On that basis, amendments to the Zanzibar constitution and Election Act were made. Therefore the 8th constitutional Amendment Act No.2 of 2002 amended the Zanzibar constitution by bringing in section 7(3) (a) which provided for the establishment of PVR (TEMCO, 2006:4). There were also amendments to Zanzibar's Election Act of 1984 (COG, 2006:19). The process of registering voters into the PVR thus began in 29th November 2004 and ended in 26th, April, 2005 (EISA, 2006:8), TEMCO (2006:4). As pointed out earlier in this essay, voter registers in both Tanzania mainland and Zanzibar was not introduced just as a fashion. They were rather a response to appeals from numerous election stakeholders over the need to cleanse the voter registration exercise. The next discussion below thus tries to appraise the voter registers in Tanzania, but prior to that analysis, the next section below sheds light on voter registration process in some East African countries (Kenya and Uganda).

VOTER REGISTRATION IN OTHER EAST AFRICAN COUNTRIES

Voter registration is a crucial step in the electoral

processes in both Kenya and Uganda. The importance of this exercise is that it determines who should vote and who should not. Kenya's National Assembly and Presidential Elections Act (NAPEA) list various requirements for one to be allowed to vote. These are specified in Chapter 7 of that Act and they include; Kenya identity card or passport and voter ID. Uganda also has similar provisions as stipulated in section 19 (1) and (2). Section 19.1 provides that voters should register in parishes where they reside or originate. Each parish therefore prepares a voters' roll in which whoever wishes to vote has to make sure that his name appears on that roll (Commonwealth, 2006:19).

Voter registration in Uganda and Kenya, especially in the multiparty era offers different experiences. What is however obvious is that in both countries there have been voter registration-related anomalies although the intensity of these irregularities differs significantly as election observers' reports suggest. Comparatively, there are more controversies concerning voter registration in Uganda than in Kenya. The EU election observation report for the 2007 general elections in Kenya points out that Kenya has a system of permanent or rolling voter registration that was introduced following the constitutional amendment in 2002. With this arrangement, the exercise of registering voters is carried out throughout the year at the district level and there 30 days registration drive organized yearly in which voters go to register at the registration centres and units that are also used as polling stations on the election day (EU-EOM 2007:18). With regard to the exclusion of eligible voters, the EU report points out that there were few complaints over the exclusion of certain groups from voting during the 2007 elections. This was partly attributed to good preparations by the Electoral Commission of Kenya (ECK) which ensured, among other requirements that registration centres were adequate to facilitate the registration process. The problems that are noted to have somehow affected the registration exercise are administrative and do not suggest elements of suspicion from election stakeholders concerning the legitimacy of the exercise. The noted registration anomalies include; double registration which is attributed to low voter awareness, improper handling of the names of the deceased registered voters and delays in issuing identity cards by the office of the registrar of persons, which denied especially young voters their right to be registered. The report by commonwealth observers group attributes the problem of double registration to the failure of the machines especially in cancelling the names of registrants who had updated their particulars (Commonwealth, 2007:13). The report nonetheless commends the efforts that were made by the respective authorities in addressing this problem.

While Kenya seems to have made a commendable progress in handling the process of voter registration, the situation is quite different in Uganda. The commonwealth

observation report for the 2006 general elections in Uganda cites various anomalies that affected the exercise of voter registration. Some of these include, lack of opportunity for voters to disapprove some names appearing in the register as provided for in section 25.3 of the Electoral Commission Act. As per this Act, voters can object some names appearing in the register following the display of the voters' roll. Other anomaly is the failure to register many voters due to technical faults such as the breakdown of the fingerprint machines (EU-EOM, 2011:19).

Like in previous multiparty elections, voter registration in Uganda's 2011 general elections was also overshadowed by allegations over ghost voters that were raised by opposition political parties. These parties further alleged that there were deliberate attempt to ensure multiple registrations and the registration of foreigners. The EU-EOM cites a case of *Bossa vs. Attorney General* that was filed by FDC and UPC in which the two parties argued that there were more registered voters in the Central region and other 32 districts than the actual projected population for 2010 as per the figures issued by Uganda Bureau of Statistics (EU-EOM, 2011:20). The report by the European Union observation mission enumerates other registration problems such as non issuance of voter cards to about four million people which raised suspicion over fraud. This problem was compounded by the fact that on the polling day many registered voters found their names missing on the voter roll at the polling stations they had gone to vote.

AN APPRAISAL OF PERMANENT VOTER REGISTERS IN TANZANIA

As pointed out earlier in this essay, the introduction of permanent voter registers in Tanzania was an attempt to address election irregularities that were held since the country reintroduced multiparty politics. As two multiparty general elections have so far been held using the PNV/PVR, this section tries to assess the role of these registers in curbing voter registration anomalies that were observed before they came into force. This assessment is done using various indicators namely; admissibility, reliability of data, disenfranchisement, respect to registration laws, and flexibility.

Admissibility

Article 5-(1) of the constitution of the united republic of Tanzania provides that every Tanzanian citizen aged 18 years and above is entitled to vote in any public election held in the country. On the basis of this constitutional provision, admitting an individual into a voter register is an inalienable right that eligible citizens ought to exercise. One of the concerns from voters prior to the

establishment of voter registers in the two parts of Tanzania was that the exercise of registering voters was poorly coordinated and thus did not give enough room for voters to freely register. The establishment of PNVR/PVR was thus a response to this query. The expectation from this new form of registering voters was that every eligible voter in Tanzania could easily register and thus secure his/her voting right. Basing on the two elections (2005 and 2010) that were held since the launch of voter registers, a few observations can be made. The first remark is that there is a big discrepancy in terms of how the exercise of registering voters is carried out between mainland Tanzania and Zanzibar. From a broader perspective, the process of voter registration in mainland Tanzania is relatively friendly as compared with that of Zanzibar. Such variation stems from the definition of the criteria that enable one to qualify as a voter. For instance, while the constitution of the United Republic of Tanzania of 1977 spells out the attributes of the eligible voter¹⁸, there is nothing suspicious from such provision that suggest the unfriendliness of the rules regarding voter registration. On that basis, it can firmly be stated that the process through which voters get registered into the PNVR in Tanzania mainland does not involve stringent criteria that can discourage the voters from registering. This position is supported by the observers' reports on union/mainland elections. For instance, in summing up the general observation regarding the registration of candidates during the 2005 general elections, TEMCO concludes that despite some minor anomalies the entire exercise was good, fair and transparent (TEMCO, 2006:27). There were even more improvements in the 2010 general elections as compared with previous ones (TEMCO, 2011:42). The argument that voter registration is friendly in Tanzania mainland is also echoed by the European Union Election Observation Mission (EU EOM, 2010:17) which maintains that there are no unreasonable requirements for the registration of voters in mainland Tanzania. The only unfriendly environment was on logistical issues such as the positioning of registration centers. TEMCO points out that during the 2005 general elections there were complaints over the location and the reduction of the number of registration centers from government officials and the general public. Some few cases are cited by TEMCO. One of those cases was that some the residents in the islands in Bunda and Mwibara constituencies in Mara region had to cross the lake by boat to the mainland in order to register. Some residents in other constituencies such as Bukoba rural, Moshi rural, Vunjo, Rufiji, Chilonwa and Manyoni walked between 6 to 8 kilometers to the nearest registration centers (TEMCO, 2006:9). As regards the number of registration centres, TEMCO further shows that there was a significant downsizing of the registration centres in the 2005 general elections as compared with the 2000 general elections. For example, while the total number of registration centres for Bukoba Rural, Biharamuro West, Nkenge,

Biharamuro East and Arusha Urban constituencies was 938 in 2000, that number plummeted to 610 in 2005¹⁹.

On the other hand, the process of voters' registration in Zanzibar has been cumbersome to some voters. The complexity of voter registration in Zanzibar is advanced by all observers' reports. All observers seem to challenge the residence requirement which provides that one qualifies to vote in a constituency if she/he has lived in that constituency for a period of three years. This has to be verified by one's possession of Zanzibar identity Card (ZAN-ID). As per the Registration of Zanzibaris Resident Act of 2005, for one to be registered he/she needs to present his/her identity card issued under Act No.7 of 2005²⁰. The Tanzania Civil Society Consortium on Election Observation (TACCEO, 2010:185) for instance challenges the resident requirement for voting purposes on the grounds that it interferes with the person's right to vote. Furthermore, in order to show its dissatisfaction with the resident requirement TEMCO argues that the complicated procedures of acquiring ZAN-ID might have discouraged some potential voters from registering²¹ (TEMCO, 2010:31).

Reliability of registration data

One of the key ingredients for a democratic free and fair election is the adequacy and accuracy of data and other information related to the conduct of election. The above attribute not only facilitates a smooth conduct of the elections but also reduces or avoids unnecessary complaints from election stakeholders. Previous elections in Tanzania particularly those of 1995 and 2000 encountered a problem of lack of up to date and reliable data over registered voters. The dearth of data accuracy was one of the triggers of electoral complaints voiced by those who thought that the unreliability of such information acted to their disadvantage (opposition parties). The introduction of permanent voter registers was thus treated as a solution to this problem for there was the expectation that with this permanent voters' database the query over who has the right to vote had reached its climax. Nonetheless, the experience from the two elections held using the permanent voter registers provides a mixture of observations. For instance, although the 2005 general elections were held in the same year of completing the registration of voters into PNVR/PVR, some remarkable achievements were noted especially in Tanzania mainland. One of those achievements was the correlation between the number of estimated voters and those who turned up for registration²². For instance, while NEC's target was to register 16,570,230 voters, it managed to register 15,942,824, which was an achievement of 96% (TEMCO, 2006:7). That correlation was also reflected in the voting turn up figures. TEMCO report shows that out 100 observed constituencies there were only two

constituencies whose turnout rate was 56.64% and 59.12% respectively. The rest of the constituencies had a turnout rate of 60% and above (TEMCO, 2006:185-187). The similar indicator of an improvement in the management of elections was the overall decrease of complaints against the registration exercise particularly in mainland Tanzania as compared with previous elections. Some complaints were however raised. In Arusha municipality, for example, complaints over the missing names in the PNVR were raised. A total of 932 registered voters' names were missing from the provisional Voters' Register. 394 of the names missing were from Ngarenaro, 137 were from Elerai, 50 from Sombetini, 18 from Daraja Mbili and 50 from sokoni 1 ward whereas other names were from different areas of the municipality (TEMCO, 2006:24).

Complaints were however ever-present in Zanzibar. ERIS shows that there were discrepancies in registration figures. The report shows that while 102,710 voters were initially declared to have registered in Urban District, the final registration figure in that district rose to 112,974 voters. Similar changes were noted in West District where the registration figures changed from 88,298 voters to 92,591 voters. It is important to note that all these constituencies are the strongholds of the ruling party. While the above changes marked the increase in the number of registered voters, the situation was different in the opposition's strongholds. In Wete district, 50,182 voters were initially declared to have registered but the final figures issued by ZEC decreased that number to 45,157 voters (ERIS²³, 2005:10-11). The discrepancy in registration figure was also ironed out by the Commonwealth Observer Group (COG) which indicates that while initial registration figures in Zanzibar was 499,007 voters, that number was revised by ZEC to 509,906 voters which was 93.2% of all eligible voters (COG, 2005:23).

The 2010 general elections however put the voter database in a different perspective. This was because instead of resolving the controversies that were surrounding voter registration in previous elections it brought a new puzzle. This conundrum concerned the authenticity of voter records that were used in the 2010 general elections. For the first time since independence the country witnessed a very low voter turnout of 42.8% of all registered voters, a situation that led to various debates. The main focus of these debates was directed towards explaining this record voter dropout from the electoral processes. It is important to note that since the reintroduction of plural politics in the country voters were turning up en masse to cast their votes²⁴. Given a very competitive climate among political parties during the campaigns, there were higher expectations that many people would turnout to vote in 2010 general elections. It was not the case however. Apart from people talking about factors such as voter apathy as one of the causes for the decrease in turn up figures, there was and still is a debate on the authenticity of voter registration figures

released by NEC. While more than 20,000,000 voters were said to have registered to vote, only 8,626,283 voted on the elections day (TACCEO, 2010:103). Opposition parties particularly Chama Cha Demokrasia na Maendeleo (CHADEMA) and some civil society organizations challenged these figures arguing that they were inflated. NEC's response to such concerns bore an implication that it was somehow uncertain over its voters' database as it failed to confidently prove that such data were absolutely correct.

Other instances of the unreliability of permanent national voter register are pointed out by TACCEO which shows that there were various complaints over the data in the PNVR during the 2010 general elections which included the mixing up of names, the inclusion of some voters in the list of deceased or disqualified voters. There are numerous cases to prove this weakness. For instance, Mr Jacob Hassan Bonda with voter identity number 45437430 from Ngorongoro constituency at Loliondo Bomani polling station was denied to vote because his name was deleted from the register on the reason that he was reported to be dead. Likewise, Ibrahim Ally Nanage with voter identity card number 27526790 and Mwanne Kasimu Likese with voter identity card number 27526800 who were registered at Lupiro polling station in Ulanga West constituency, Morogoro region were unable to vote as despite their possession of valid voter identity cards could not find their names on the register²⁵. Data inaccuracy was also witnessed in Lyaubaugongo ward in Bukombe constituency in which Maria Masanja's name was mixed with the names of deceased persons and thus was not allowed to vote²⁶.

Disenfranchisement

In a democracy, it is expected that all eligible voters will have the right and opportunity to register and thus secure a ticket to cast their votes in elections. Deliberate or malicious denial of such rights is thus antithesis to a democratic culture. The only acceptable exception for one to be denied registration is when he/she fails to meet statutory requirements as stipulated in the country's constitutions or other election laws. The PNVR/PVR in Tanzania came into being carrying the inclusiveness banner that all Tanzania meeting the registration requirements would be registered. More than ten years since these registers were introduced in Tanzania; the complaints over deliberate disenfranchisement of people who are meeting all the registration requirements continue to be repeatedly featured in election observers' reports. For instance, the Electoral Reform International Service (ERIS) shows that during the registration phase in Zanzibar, CUF complained over the denial of registration of its supporters. The people behind such denial included local government officials (shehas)²⁷ and election officials (EISA, 2006:9).

The refusal to register some individuals was based on

the non-residence criterion and a proof that this was done deliberately is the fact that the victims were denied of their right to appeal as they were not given the claim forms (ERIS, 2005:10). In explaining the malpractices of registration officials in Zanzibar, EISA (2006:10) shows that security forces and ZEC officials were denying persons access to complaint forms in instances when they wished to file complaints. The elements of partiality were also noted by the election observation report of the Unrepresented Nations and Peoples Organization (UNPO, 2005:6) which states that local government officials violated the impartiality requirement as per the Muafaka II agreement in ensuring a more fair and balanced registration.

Similar views are advanced by the National Democratic Institute (NDI) which states that there were allegations that local government officials (shehas) behaved in a partisan manner during the registration process and that they were preventing eligible individuals from registering to vote (NDI, 2005:19). There are however various explanations regarding this problem. The first set of explanations looks at the level of competence of registration officials in which some reported cases of disenfranchisement are condoned on the view that these officials were not competent enough. Since the introduction of permanent voter registers election observers have been citing various indicators of incompetence among registration officials. One indicator of incompetence of the registration officials was the failure of some officials to use their designated powers. This was evident in Bububu constituency between 22nd March and 24th, March 2010 in which the sheha of Bububu was in control of the registration centre instead of the Assistant Registration Officer (ARO). Similarly on 26th March 2010 the same sheha usurped the powers of the District Registration Officer (DRO) by refusing the owners of ZAN-IDs with registration numbers 03114715, 221350030 and 1000081934 to register despite the fact that they were approved by DRO (TEMCO, 2011:16). Another area of weakness was the failure of polling assistants and clerks to use ICT equipments (TACCEO, 2010:31). The suggested solution to this problem is therefore that election monitoring bodies have to improve their training of registration officials.

The second set of explanations treats the denial of registration to some voters as a no one's responsibility. There have been some cases in which people are denied their right to vote simply because their names are not in the register. The funny side of this explanation is the fact that it leaves the victim with no alternative as the source of the problem is not made clear. This invisible nature of the responsible authorities leaves the unregistered individuals with one organ to blame, the computer. It is most likely especially in rural areas where knowledge in ICT is almost zero that people are simply told that their names are not appearing in the register because the computer did not bring them. On that regard, one is made

to believe that the source of his/her problem is not the human beings but it is rather the computer.

The third set of explanations concerning disenfranchisement is associated with strategic calculations especially in areas where there is stiff competition among political parties. The main thesis of this set of explanations is that the party that has more access to election officials uses its influence to ensure that some of the supporters of the rival parties are denied registration so that it can increase its chance of winning. ERIS (2005:10), for instance, points out that parties' perception of the registration exercise in Zanzibar was itself a source of controversy. This contradiction emanated from the fact that while CUF frequently raised complaints about the anomalies in the registration process, its main rival (CCM) seemed to be relatively satisfied with the exercise. The ERIS report shows that during the preparations for the elections CUF challenged the accuracy of the PVR on the view that its 7500 eligible voters were denied registration and it also claimed that there were 10,000 unknown entries in the PVR²⁸. Party politics in the PVR was also linked with the exercise of collecting voter identity cards. TEMCO notes that this exercise was less transparent. A point of reference was the big number of uncollected voter cards. It should be noted that while ZEC had set a deadline for the collection of voter cards (25th-29th June, 2010), 10,295 cards were still unclaimed by August 15th, 2010 and ZEC did not clearly explain their fate (TEMCO, 2011:15). The lack of clear explanations over these cards led to the outbreak of rumours that this was a deliberate strategy by the ruling party to increase its number of voters (TEMCO, 2010:15). Basing on the intensity of political competition in Zanzibar, it was quite unbecoming that such a big number of voters could deliberately forego their voting right by not collecting their cards. Although the turn up in the 2010 Zanzibar general elections was slightly lower in 2010 as compared with the 2005 elections²⁹, voter apathy in Zanzibar is yet to be witnessed. It is thus realistic to doubt the genuineness of the information regarding the unclaimed cards. This problem is exacerbated by low level of transparency in the process of registration. It can be remembered that in 2005 Zanzibar, unlike mainland Tanzania, rebuffed the idea of auditing the information in the PVR using the company from South Africa (Waymark). There were no convincing reasons for that refusal and thus this raises a scare that there might have been a hidden agenda behind it.

The fourth explanation is associated with financial constraints. The argument is that due to financial problems the updating of the register is not a regular exercise. As a result, some qualifying voters whose names are not in the register are not allowed to vote. It can be noted that one of the recommendations posed by TEMCO regarding the improvement of voter registration process was that NEC should establish permanent offices throughout the country so as to facilitate the time

to time updating of the register (TEMCO, 2006:28). It is the view of this paper that the above recommendation is very important and should have been heeded to by NEC. It however doesn't seem to have captured the attention of NEC. In reiterating the implications of budgetary constraints, TACCEO is convinced that the acts of incompetence that were committed by registration assistants were due to budgetary constraints that subjected them to short training (TACCEO, 2011:31). It is on this basis that more adequate financing is advocated on the view that it will increase the capacity of ZEC and NEC to properly manage the registration process.

The ramification of lack of regular updating of voter registers is that potential voters are denied the opportunity to exercise their democratic rights and this has been witnessed especially in by-elections. For instance, in the Igunga constituency's 2011 by-election in which the competition between CCM and Chama Cha Demokrasia na Maendeleo (CHADEMA) was stiff, it can be postulated that the general political landscape in that constituency might have changed had new voters been allowed to register. No updating was however done and thus those who had turned 18 years old since the 2010 general elections missed the chance to choose their leader. The same scenario was witnessed in the recent by-election in Arumeru constituency in which the PNVR was also not updated.

Respect to registration laws

One of the reasons that triggered the establishment of PNVR/PVR was to put to an end the complaints that some of the registered voters were under the age of 18. Observer's reports indicated that in previous elections that were held before the introduction of PVR cases of illegal registration were rampant. Nevertheless, even the introduction of permanent voter registers seems to have failed to completely curb this problem. NDI (2005:20) points out that during the preparation for the 2005 elections there were concerns in Zanzibar over ineligible individuals being allowed to register and eligible voters registering in constituencies where they do not reside. The former were said to be security forces from the mainland whereas the latter involved Pemba residents were being registered to vote in Unguja³⁰. Since the introduction of the two voter registers, cases of underage registration are still reported. For instance, cases of underage registration were observed by the International Law and Policy Institute (ILPI) on 4th and 5th January, 2010 as several young voters appearing to be between 12 to 16 years old, at Kiboje Mkwajuni, Bambi, Mpapa and Umbuji registration stations were allowed to register³¹ (ILPI, 2010:4). ILPI observed similar cases on 11th January, 2010 where many underage voters were being registered at all of the registration stations³² (ILPI, 2010:3). Likewise, ILPI noted the registration of underage

voters on 18th and 19th January 2010 but such cases were most prevalent at Mseweni registration station. The ILPI report points out that there were 5 underage voters in a row whose ZAN-IDs had been issued on January 4, 2010³³ (ILPI, 2010:3). Cases of underage voters were also noted by TEMCO who point out that some of people who turned out for registration in Zanzibar appeared to be below 18 years old. For instance, there was also a recurrence of the concern over the registration of ineligible voters particularly the security personnel. This was reported in Mkoani district where CUF challenged the registration of JKU (Jeshi la Kujenga Uchumi) soldiers at Chokocho registration centre (TEMCO, 2011:27). The problem of double registration was noted as well especially in mainland Tanzania during the preparations for the 2010 general elections. There are two reasons that were attributable to double registration. The first one was the political decision to establish new wards. Following the establishment of these new administrative structures people who were already registered were asked to re-register into these new wards. As there were no elaborate mechanisms to crosscheck voters' particulars, some individuals who had lost their cards or were asked to re-register used this opportunity to register twice (TEMCO, 2011:34). The second reason was the absence of the requirements for voters to prove that their cards were lost. With a paucity of these requirements, some dishonest voters used this loophole to register twice. Cases of this nature were reported in Lindi constituency (TEMCO, 2011:34). ILP similarly noted the incidents of double registration in Zanzibar. Its weekly report cites an incident which took place on 28th December 2009 at Uzini registration station whereby one woman who pretended to be a fresh voter was found possessing a 2005 voting card (ILPI, 2009:3)³⁴.

Flexibility

The question of voter registration is also associated with issues of mobility. The underlying assumption in this aspect is that the registration process has to be flexible enough so as to accommodate some factors that might affect the ability of voters to register. One of these factors is migration. While voters who migrate from one location to another are required to re-register, there are instances where re-registration is quite impossible. As pointed out earlier in this paper the absence of proper arrangements in ensuring that permanent voter registers are updated time to time is in itself a problem. For instance, during the 2010 general elections many university students missed the opportunity to cast their votes. This was basically because most of them were registered at their universities and it was unfortunate that elections were held at the time when many students were in a long vacation. Given various factors such as distance and

financial constraints, many of them were unable to travel to their universities where they had registered. Even those who wished to vote from where they were based on the elections day could not make it as the exercise of updating the PNVR was over by the time of closing the universities³⁵. There was however some allegations that this was a deliberate move by the government to ensure that many university students (especially in Dar es Salaam) who seemed to be pro-opposition could not vote. The source of this allegation was the fact that had the normal timetable been followed, students were supposed to already be at their universities before the elections day. This did not turn out to be the case though. TACCEO solidifies this allegation by insisting that this was a political calculation deliberately done to affect CHADEMA which was believed to have many supporters from the universities (TACCEO, 2010:101). Moreover, in the run up to the elections date, the minister for education issued a statement declaring the extension of the long students' vacation on the view that the Students Higher Education Loans Board was not yet done with preparing students' loans.

In addition to the above anomalies, voter registration seems to be affected by cases of buying of voter identity cards (Voter IDs) particularly in mainland Tanzania. The allegations over the buying of voter IDs are in most cases directed to CCM. However, there have also been claims that some opposition parties are participating in this illegal business³⁶. There are two sets of explanations concerning this business. The first explanation is that the practice of buying voter IDs is carried out by the party so as to ensure that it increases its share of votes. The second set of explanation is that the practice of buying voter identity cards tends to target the supporters of opposition parties as a mechanism to ensure that these supporters do not vote on the elections day. The difference between the two arguments lies in the fact that while the former is said to include buying and using the bought cards to vote, the latter is associated with non-voting on the view that it aims at ensuring that pro-opposition supporters do not turn up to vote. A clear example where the allegations over the business in voter identity cards were rampant was during the Igunga constituency by-election in 2011. It was reported by the media that some individuals who were alleged to be CCM supporters were caught by opposition supporters possessing voter IDs whose owners could not be accounted for. However, to everyone's surprise, no legal measures were taken against the culprits. This incident was followed by contradicting statements from NEC and the police. While the former held the view that it was illegal for one to own another person's voter identity card, the police issued a press release stating that there was nothing illegal with one possessing the voter identity cards of other persons.

The trade in voter identity cards raises a concern on the level of trust of NEC by election stakeholders, particu-

larly the opposition parties. For instance, as per the requirements of the PNVR, before one is allowed to cast his/her ballot he/she has to undergo a rigorous verification process which includes establishing his/her presence in the voter register. With this requirement, the expectation is that whoever votes is registered. The emergence of complaints that a person can use another person's identity card to vote suggests the feeling that opposition parties are doubtful over the handling of the voting exercise. This is not a good sign of a transition towards democratic consolidation.

AN OVERVIEW OF OBSERVERS' REVELATIONS

The above section has offered a comprehensive list of issues that have characterized voter registration process since the introduction of PNVR/PVR in Tanzania. From these issues, various deductions can be made.

First, despite the introduction of voter registers, the process of registering voters is still suffering from two forms of irregularities namely those caused by the failure of the system and those that are by design. The irregularities that stem from systemic failure are mainly three. The first one is lack of adequate preparations on both the government in general and the national electoral commissions in particular. Prior to embarking on the registration exercise there ought to be more consideration of key aspects that might affect the effectiveness of the exercise. Some of these include the proximity of registration centres so that voters do not fail to register on avoidable excuses or constraints such as long distances to those centres. The other aspect that suggests the failure of the system is lack of time consciousness in addressing registration-related controversies. The introduction of voter registers was, among other considerations, meant to ensure that endless complaints concerning registration problems are properly dealt with. This does not however seem to be the case, partly due to lack of enough time. As the reports of the observers have revealed, some registration anomalies do not get handled as voters are tied to unrealistic deadlines. For instance, as voter registration is likely to be characterized by complaints and sometimes conflicts, an elaborate complaints handling framework ought to be in place. This could have helped to address some queries that get unattended by the current system. As the reports of the observers have shown, there are cases where voters who had completed all the registration requirements find their names missing and as this is normally noticed few days before elections, it implies an automatic disqualification from voting.

A related aspect is the continued lack of adequate training of registration officials, who are sometimes even abdicating their prime responsibilities. For instance, as observation reports from Zanzibar have shown, the fact that some registration officials surrendered their

autonomy to local government officials (shehas) leaves a lot to be desired.

The irregularities by design, on the other hand can be associated with the "Zanzibar Effect". Almost all observers' reports for Zanzibar show that given the nature of high competition between the ruling party CCM and the main opposition party in the isles, CUF, there were deliberate attempts to disenfranchise most of eligible voters who were suspected to be opposition supporters. This was mostly evident in Pemba where CUF enjoys high support. The tendency to deny one's registration rights on the basis of whether or not one supports a certain party, which was typical to Zanzibar, seems to have grown borderless to even affect union general elections in 2010. As we have indicated in the preceding sections and as the observers reports indicate, there were elements that suggested a possibility of invisible vested political interests in the voter registration exercise. This is particularly due to the fact that cases of deregistration sometimes seemed to target certain constituencies.

Some observers' reports, such as that issued by TACCEO have shown that there were concerns from various elections stakeholders that the 2010 elections that suggested the increasing youths support to the opposition might have been a trigger for the government's decision to extend universities' opening dates. This belief is anchored on the view that as most of university students were away from their universities where they were initially registered for voting, few of them could afford coming to their respective centres to cast their votes. There was even no room for flexibility to accommodate students' right to vote especially given the fact that the exercise of updating the voter register was done when students were still at their respective universities.

The occurrence of registration irregularities in the two forms above raises a new question concerning the role of a voter in the registration process. The need to analyze the role of voters emanates from the fact that democratic consolidation requires, among others, the existence of both subjective and objective political competence amongst the populace. Mushi (1999) points out that subjective political competence refers to the level of confidence that people have in their ability to participate effectively in politics whereas objective competence refers to actual demonstrated ability to do so. The conduct of voter registration in Tanzania suggests that from a comparative perspective and basing on the general conduct of elections especially in the multiparty era, there is high level of both subjective and objective political competence among voters in Zanzibar than it is in Mainland Tanzania.

As observers' reports have shown in the previous section of this essay, there was an outbreak of a conflict in Pemba as CUF leaders and their supporters expressed their discontent over the way the exercise of updating the

permanent voter register was being carried out. It was due to these conflicts that the exercise was put on hold until the controversies that CUF was objecting were taken care of by the respective authority. While this paper does not condone outbreaks of election-related conflicts, it holds the view that voters have the right and obligation to ensure that they do not easily give up their constitutional voting right.

On the other hand, the observers' reports have indicated that some eligible voters in mainland Tanzania have been giving up easily their registration rights. The reports show that once voters do not find their names in the register, they normally decide to return to their respective premises without taking further measures. As being registered to vote is a constitutional right (as provided for by Article 5-(1) of the 1977 URT constitution), an unfair denial of such right is challengeable in the courts of law. This is what the victims of unfair denial or registration ought to have been doing, but it is not done.

The possible excuse towards not pursuing this route is that most of the victims are poor citizens who are less informed of the electoral rules, procedures and the limits of citizens' rights in the electoral processes and thus cannot afford to effectively engage themselves in litigation. However, given a myriad of human rights organizations in Tanzania, one would expect to see them assisting ordinary citizens in such cases. It is still however mostly not the case.

The observation reports on elections in Tanzania also bring a dilemma of accountability versus autonomy. One of the appeals from elections stakeholders has been that in order for elections to be free and fair, election monitoring bodies such as the Electoral Commissions ought to be autonomous so that they exercise impartially their entrusted powers. Nevertheless, the autonomy of these bodies is meaningless if they take sides in the course of carrying out their duties. Elections observers' reports have shown that there are various elements of partiality within NEC and ZEC that raise the concerns for accountability. The question that however remains to be answered is on what appropriate accountability framework electoral commissions should be subjected to. From the spirit of the constitution, it can be learnt that even the involvement of the courts of law in electoral affairs is in some cases described as interference. This is testified by the Constitution of the united Republic of Tanzania which bars aggrieved political parties to challenge presidential results in the courts of law. While it is important that the electoral commission carry out its duties without interference, it is also logically appealing that the impunity of these organs should have limit so as to provide the room for their decisions to be challenged by the aggrieved parties. As it stands, opposition parties, civil society organizations and the general public do not have the power to hold the electoral commissions in the country accountable.

CONCLUSION AND LESSONS LEARNT

As already argued elsewhere in this paper, the introduction of permanent voter registers in Tanzania was a timely and very positive gesture towards ensuring that elections are held in a more open and transparent environment. All election observers' reports appreciate the significance of these registers on the view that if properly managed they could be a solution to various controversies that have been surrounding the electoral processes in the country. However, basing on the incidents that continue to surround the process of voter registration as outlined by election observers, this positive anticipation seems to be in a serious threat. The source of this threat is the fact that most of the anomalies that were reported during the pre-PNVR/PVR era are still rampant. The above discussion has cited a myriad of irregularities such as double registration, underage registration and the incompetency of registration personnel that characterize the country's registration process.

From the above experience various lessons can be learnt. The first lesson is that the move towards democratic consolidation in Tanzania and Africa in general needs to be discussed cautiously. This is basically because the mere presence of observable democratic institutions such as elections, electoral commissions and other pro-democracy initiatives such as the establishment of permanent voter registers does not guarantee the maturity of democracy. This is basically because some of these initiatives are just meant to befoul the democratization pundits so that they can base on such initiatives to make erroneous conclusions. As the evidence from election observers have shown, there are numerous incidents whose totality raise various questions on the degree of support and respect by the incumbent governments to democratization projects that are established.

The second lesson that can be drawn from voter registration in Tanzania is that it is difficult to make any substantial generalizations by focusing on a single electoral process. This is basically due to the fact that some events that have been unfolding in the course of preparing for the elections seem to affect earlier processes. This is evident in Tanzania where the question of the application of the PNVR/PVR remains topical from the time of registration of voters up to the time of voting.

The third lesson that can be learnt from Tanzania is that the creation of friendly environment for free and free elections is still dependent on the political will especially from the incumbent party and the government it is representing. Unlike in western democracies where the degree of respect for laws is at least high, mere presence of rules and laws in Tanzania cannot guarantee the conduct of free and fair elections as despite their existence the cries over fouls continue to unfold. Most of the electoral problems in the country seem to stem from

the lack of political will among the ruling elites in ensuring that the answer to electoral problems is not the creation of superfluous institutions or a pile of electoral laws but rather through embracing the respect to the rule of law. For example, given the complaints against the shehas in electoral processes in Zanzibar one would have expected to see them put aside if there was political will. However, this is not the case for these local government officials are representing certain interests as the evidence from the reports of elections observers have suggested.

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¹ In all these multiparty elections, the then single party Chama Cha Mapinduzi (CCM) has been declared a winner and thus continues to survive in power.

² For a detailed discussion on voter registration in Africa see Evrensel (2010). *Voter Registration in Africa: A Comparative Analysis*. EISA

³ Upon attaining its political independence in 1961, Tanzania was under multipartism. However, this system was replaced by single party rule from 1965 to 1992.

⁴ Gimpel et.al (2007:352) maintains that voter registration is the ultimate prerequisite for voting.

⁵ Ibid:13

⁶ Ibid:6

⁷ Ibid:13

⁸ Ibid:13

⁹ Ibid:12

¹⁰ Ibid:10-21

¹¹ Ibid:26

¹² See for instance, Michelle K & L Gina.2010. 'Who votes in Africa? An examination of electoral participation in 10 African countries', *Party Politics* 17(6): 767–799; Michelle K & Gina L (2007) 'Voter Turnout in Africa's Multiparty Regimes,' *Comparative Political Studies* 40 No 6: 665-690; Bogaards M (2008) Dominant Party Systems and Electoral Volatility in Africa: A Comment on Mozaffar and Scarritt" *Party Politics* 14. no.1: 113–130.

¹³ In addition to other sources, much of the data on elections in Tanzania were retrieved from the following websites:

<http://www.eisa.org.za/WEP/tanelectarchive.htm>, and http://africanelections.tripod.com/tz.html#1965_Presidential_Election.

¹⁴ <http://www.zanzinet.org/zanzibar/history/historia.html>, accessed 0n 20th, June 2013

¹⁵ Commonwealth Observer Group

¹⁶ Ibid:3

¹⁷ Electoral Institute for the Sustainability of Democracy in Africa (EISA), observation report for 2005 union elections

¹⁸ Article 5(1) of the constitution of the United Republic of Tanzania of 1977 provides that every citizen of the United Republic who has attained the age of eighteen years is entitled to vote in any election held in Tanzania. As per section (2) of the same article, one is only restricted from voting on the following grounds; (a) being a citizen of another state (b) being mentally infirm (c) being convicted of certain specified criminal offences and (d) omission or failure to prove or to produce evidence as to age, citizenship or registration as a voter.

¹⁹ Ibid:8

²⁰ ILPI (2010:9). The Progress of Voter Registration in Zanzibar: Observations and Assessments. ILPI

²¹ Ibid:31

²² This was in sharp contrast with the 1995 general elections in which the estimation of eligible voters was problematic. (TEMCO, 1996:53) noted this weakness in Kigoma and Kilimanjaro regions as there was overestimation and underestimation of eligible voters in the two regions respectively.

²³ Electoral Reform International Services.

²⁴ Turn up figures in previous elections were 1995(76%), 2000 (84.4%) and 2005 (72.28%)

²⁵ Ibid:88

²⁶ Ibid:89

²⁷ This complaint is also reflected in EISA's observation report for the 2005 elections in Zanzibar.

²⁸ Ibid:10

²⁹ EISA (2011:8) shows that the number of registered voters decreased from 507,000 in 2005 to 407 638 in 2010

³⁰ Ibid:20

³¹ ILPI.2010. *Constituency Report: Unguja: Uzini Constituency: Report on registration process 4/1/2010-10/1/2010*: ILPI

³² ILPI.2010. *Constituency Report: Unguja:Koani Constituency: Report on registration process 11/1/2010-17/1/2010*: ILPI

³³ ILPI. 2010. *Constituency Report: Unguja: Chwaka Constituency: Report on registration process 18/1/2010-24/1/2010*: ILPI

³⁴ ILPI.2010. *Constituency Report: Unguja:Mji Mkongwe and Uzini Constituencies: Report on registration process 28/12/2009-3/1/2010*: ILPI

³⁵ TACCEO (2010: 10) points out that as per Nipashe Newspaper of 4th October 2010 more than 60,000 university students would not vote if universities remained closed up to the elections day.

³⁶ For instance, in his press conference, the Returning officer for Igunga constituency Mr, Protace Magayane told the media that his office had received complaints from the public over the purchase of voter identity cards and the tendency of parties to register their prospective voters. Sharon Sauwa, "Tume ya Uchaguzi: Ununuzi wa shahada wapamba moto Igunga," Nipashe, 21st September, 2011, <http://www.ipppmedia.com/frontend/index.php?l=33578>, accessed 27th, March. 2012.