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# For Want of a Credible Voter Registry

## DO PROBLEMS IN VOTER REGISTRATION INCREASE THE LIKELIHOOD OF ELECTORAL VIOLENCE?

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In the wake of deadly 2007-2008 elections in Kenya, the topic of electoral violence is attracting increasing international attention. One study theorizes that norms of electoral integrity play a critical role in determining outbreaks of violence during the election cycle. Using statistical analysis of data based on international election observer reports, this paper acquires a greater understanding of *which* violations of electoral integrity, such as vote fraud or restrictions on media, are associated with increases in electoral violence. The preliminary findings indicate that the hypothesized variables of voter intimidation and vote fraud are associated with electoral violence, but more surprising is the link between electoral violence and problems with voter registration/lists. After examining the case of the 2003 Guatemala elections, the paper concludes by theorizing *how* and *why* voter registration/lists problems open themselves up to violence, which has implications for the role of good electoral governance and norms of electoral integrity in conflict prevention.<sup>1</sup>

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The key components of a legitimate electoral process is one that is free and fair in both political *and* administrative terms, that is inclusive of all elements of society through a well-considered law of citizenship and of voter registration, and that offers meaningful choices to the population ... Electoral processes that are fraught with fraud, mismanagement, and political influence, and which are accompanied by high levels of social violence, can be the stimulus for deeper, serious social conflict. (*italics in original*).

-Timothy Sisk in "Elections in Fragile States: Between Voice and Violence" (Sisk 2008, 16)

Violence committed during the course of an electoral process signifies an obvious breakdown of democratic principles. If elections are intended to manage societal conflict through the peaceful contestation of political power, in the spirit of Przeworski (1991) and Schumpeter

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<sup>1</sup> The author would like to thank Ian Johnstone, Professor at the Fletcher School of Law and Diplomacy, and Pippa Norris, Professor at the Harvard Kennedy School of Government, for their useful feedback. All mistakes remain the author's. The author can be reached at michael.snyder@alumni.tufts.edu

(1942), then election-related violence and killings represent a visceral failure of that process. The 2007-2008 Kenyan presidential elections which left more than 1,000 people dead and threatened to destabilize the sub-region demonstrate the all-too-real consequences of electoral violence perpetrated on a wide-scale (Human Rights Watch 2008). Since those harrowing months, preventing major electoral violence has become a *cause célèbre* of many scholars, practitioners, and policy-makers interested in democratization and peace building.

One of the conclusions to emerge from this body of research is that the “integrity” of an electoral process is a critical variable to conducting violence-free elections (Norris 2012). The Global Commission on Elections, Democracy, and Security (2012, 6), chaired by Kofi Annan, defines elections with integrity as “as any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle.” The term “electoral integrity” is seen as an alternative to other oft-used but ambiguous descriptions of elections such as “credible,” “acceptable,” “reflecting the will of the people,” or the usual diplomatic phrasing of “free and fair.” In contrast, violations of these norms, known as electoral “malpractice,” are believed to act as potential triggers of election-related violence, a relationship that will be disaggregated in the next section.

Examples of electoral malpractice abound. Andreas Schedler (2002) famously described the “menu of manipulation” available to authoritarian rulers who instrumentalize the electoral process in order to preserve their grip on power. He notes a variety of “tactics” available to “engineer” desired outcomes such as creating elected posts which are afforded few actual responsibilities, undermining the ability of opposition parties to organize or consolidate, “informal disenfranchisement” techniques such as identification requirements and discriminatory

voting procedures, and “redistributive” practices such as fraud and vote-rigging. Indeed, a number of scholars have explored the “panoply of forms” inherent to electoral malpractice (Lehoucq 2003; Levitsky and Way 2010; Birch 2012). However, electoral malpractices need not be intentional or even illegal, but can result from subtler irregularities, such as “inaccurate voter registries, maladministration of polling parties, petty corruption, pro-government media bias, lack of transparent campaign finance disclosure, tabulation miscounts, partisan gerrymandering, and excessively high vote-seat thresholds” (Norris 2012, 5).

Unfortunately, less is known about *which* violations of electoral integrity are most likely to turn deadly. Hardly any comparative quantitative analysis has been brought to bear on this question. This is not a straightforward task, as electoral malpractice is anything but uniform. While they all soil the integrity of the electoral process, it is doubtful that they are each equally likely to trigger violence. Schedler himself doubts that “in normative terms all strategies of electoral containment are equivalent.” He writes, “Is it the same to shut out competitors as to buy off opposition voters? Is it the same to manipulate the mass media as to rob an election?” (Schedler 2002, 45-46). These are worthwhile questions.

This paper seeks to build on the aforementioned contributions by acquiring a greater understanding of *which* forms of electoral malpractice – which items in the “menu of manipulation” – are associated with increases in electoral violence. This paper also seeks to generate a more complete picture of *why* and *how* certain malpractices turn violent. The statistical analysis draws on a dataset prepared by Judith Kelley (2012), who codes international election observer reports covering national elections in 108 countries from 1980 to 2004. The analysis compared the severity of 15 different types of electoral integrity variables with the intensity of the electoral violence.

The findings are surprising. While certain malpractices do lead to the hypothesized violent outcome, including voter intimidation and voter fraud, *the truly unexpected finding is the correlation between election day violence and problems with voter registration/lists.*<sup>2</sup> That is, problems with voter registration (occurring in the pre-election period) – such as missing names on the electoral registry, inaccurate and out of date entries, and voters being unable to register – are associated with increases in election day violence at a high significance level. Problems with voter lists (occurring on the actual day of the election) – such as incomplete entries, failure to deliver the correct list to the polling stations, and voters being turned away for not having their names on the list – are also associated with violent outcomes on election day.

Long considered to be a purely technical and administrative area necessary for democratic elections, the findings suggest that voter registration/lists, if mismanaged, can in fact lead to tragic consequences. The pathway by which voter registration/lists can initiate – or prevent – a deadly chain of violence is explored in a case study of the 2003 general elections in Guatemala. This case demonstrates *how* seemingly innocuous errors can matter so much. Finally, following from the case study, the paper seeks to explain *why* problems with voter registration/lists – what qualities and characteristics of this particular malpractice -- might be so problematic and distinguishable from other forms of malpractice considered in the analysis.

Of course, many causes of electoral violence have been theorized, and no doubt voter registration/lists problems constitute merely one aspect of the larger story. Nevertheless, these findings raise important implications which are addressed in the conclusion, along with avenues

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<sup>2</sup> Voter registration and voter lists, while similar, differ slightly. Voter registration is the process of registering eligible voters usually during the *pre-election phase*, while voter lists (also referred to as the voter registry) is meant to denote the final list or lists of registered voters used on *the day of the election*. For the purposes of this paper, the hyphenated term “problems with voter registration/lists” will be used to encompass both of these concepts.

of further research. Is there a role for electoral integrity and electoral governance in conflict prevention? When might targeted micro-level interventions help to reduce the potential and magnitude for violence? Might the proverbial nail in the horseshoe be an accurate, credible, and transparent voter registry?

### **Electoral Violence: What It Is and Why It Matters**

The topic of election violence has been the subject of a growing body of research in the past decade. Until recently, much attention had been devoted to elections and democratization on the one hand, and political violence on the other, but not to the intersection of these two areas. Kristine Höglund (2009), a leading scholar on electoral security, argues for a conceptualization of electoral violence as a distinct phenomenon, which lay at the convergence of the democratization literature and peace and conflict studies literature.

A number of definitions have been proposed for electoral violence, also known as election-related violence. While no commonly accepted definition exists, each shares in common an emphasis on the *timing* and *motive* of the violence (Höglund 2009, 415). A definition proposed by the United Nations Development Programme Report on Election and Conflict Prevention provides one useful definition of electoral violence:

Acts or threats of coercion, intimidation, or physical harm perpetrated to affect an electoral process or that arise in the context of electoral competition. When perpetrated to affect an electoral process, violence may be employed to influence the process of elections—such as efforts to delay, disrupt, or derail a poll—and to influence the outcomes: the determining of winners in competitive races for political office or to secure approval or disapproval of referendum questions. (United Nations Development Programme 2009, 4)<sup>3</sup>

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<sup>3</sup> The “election period” is generally understood as encompassing all phases of the electoral cycle. This consists of the pre-election phase, the campaign phase, election day or days, and the post-election phase.

Electoral violence is widespread. Worrisome for those interested in both democracy and conflict resolution is the high incidence of electoral violence across the globe. While keeping in mind that definitions vary, in the year 2001, roughly 25% of electoral events globally were violent (Fischer 2002, 11), while 19% of elections in sub-Saharan Africa have been host to electoral violence since 1990 (Straus and Taylor 2009). The color revolutions in Eastern Europe and waves of electoral violence in South Asia demonstrate that those regions are hardly immune.

The implications and consequences of electoral violence can be viewed from the dual perspectives of conflict management and democratization (Höglund 2009, 417). From the conflict management perspective, electoral violence is not without consequences. For example, violent electoral processes marred the peace and reconciliation efforts of several peace operations in the 1990s. International actors assisting war-torn societies in organizing elections, usually within a few years after a negotiated settlement, discovered that elections did not always hasten conflict termination or confer legitimacy on a ruling government (Reilly 2008, 158). While some efforts were successful such as the 1994 elections in El Salvador and elections in Mozambique of the same year, prominent examples such as the 1992 Angolan elections and 1997 elections in Liberia are notable for their violent outcomes and a return to civil war.

From the standpoint of democratization, electoral violence subverts democratic principles. Free and fair elections function as the backbone of democratic societies and, indeed, minimalist definitions of democracy view elections as the only defining element of a democratic polity (Schumpeter 1942). As such, violence may pose a challenge to a country's long-term transition to democracy, especially if it prevents an electoral process from taking place or leads to inter-communal conflict. The bloody civil war resulting from the 1992 Algerian elections is an oft-

cited example, but recent examples of major electoral violence in transitioning democracies include Haiti, Guyana, Philippines, Sri Lanka, and Zimbabwe.

Clearly, electoral violence is far from inconsequential. Understanding the causes and triggers of electoral violence can enable practitioners to better focus their efforts as they seek to build credible democratic governments and mitigate civil conflict. The next section discusses the role of electoral integrity as a possible cause of electoral violence.

### **The Role of Electoral Integrity**

What is known about the causes and enabling conditions of electoral violence? While no single explanation is sufficient, a number of frameworks have been proposed. Höglund (2009) synthesizes some of these causes and conditions into three general categories: 1) the nature of politics, in that politics generates conflict, and winning elected office often confers considerable power and benefits to officials and their loyalty networks,<sup>4</sup> 2) the nature of elections, in that electoral competition and campaigning emphasize differences and exacerbate existing social cleavages, and 3) electoral institutions, such as the design of political and electoral systems (i.e. choice of majoritarian versus proportional representation systems).<sup>5</sup>

An emerging explanation for electoral violence central to this paper is the role of electoral integrity. As before, the Global Commission on Elections, Democracy, and Security (2012, 6)

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<sup>4</sup> A related discourse envisions electoral violence as interconnected with structural or root factors within a society, such as pre-existing social, political, and economic conditions. From this perspective, elections do not cause violence per se, but simply aggravate or occur alongside other violence-prone conditions.

<sup>5</sup> A great deal of literature has been proposed on how sensible political system design can mitigate violent outcomes. Arend Lijphart (1968) famously described a consociationalist or power-sharing model designed to include ethnic minorities and allow for representation of diverse groups and interests. Also relevant is the choice of electoral system and laws. Generally majoritarian systems are theorized as more conflict-prone in fragile states due to their winner-take-all nature. Consider Reilly (2002) and Norris (1997).



defines elections with integrity as “as any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle.”

One key distinction is that electoral integrity espouses a *normative* framework from which to approach electoral violence. While other explanations theorized to cause violence tend to be descriptive in nature (such as the presence of social or ethnic cleavages or the choice of majoritarian vs. proportional representation electoral systems), electoral integrity comprises a set of norms about what the electoral proceedings ought to look like. Elections conducted in opposition to these norms are considered to have a lower degree of integrity and be host to electoral malpractices.

While there continues to be disagreement on what precisely constitutes these norms, a growing body of literature exists to refine these standards, such as those catalogued meticulously by the Carter Center’s Democratic Elections Standards project (2013). These criteria stem largely from international legal obligations, enshrined in a series of conventions, treaties, protocols, and guidelines that states have agreed to. For example, one norm of electoral integrity includes the right of voters to be offered a real choice through multi-party elections. That elections require multiple parties has in the past been contested (Fox 2000, 80-85), especially during the height of communism, however increasing refinement of sources of public international law have helped to discredit the idea that single-party elections can offer voters a real choice.

A second distinction is that the concept of electoral integrity grew out of a need to systematically evaluate the quality of an electoral process. While the standard rhetoric of “free

and fair” is commonly used in the press and diplomatic circles – and its opposite of “flawed,” “manipulated,” or “unacceptable” elections – there is no agreed-upon definition as to what is meant by those terms. Such phrasing has also been problematized for lacking a foundation in law, failing to take into consideration the pre- and post-election phases, and overlooking many aspects of the electoral process other than a few “checklist” measures, such as the absence of blatant vote rigging or fraud (Elklit and Svensson 1997, 33-34). The concept of electoral integrity is meant to better encapsulate in a non-dichotomous fashion the full-range of legal commitments that speak to what constitutes democratic elections. This includes a wide range of norms surrounding voting operations and administration, voter registration/lists, dispute resolution, vote tabulation and counting, political party and campaign finance, media freedom, freedom of movement, and other aspects of the electoral process.

What evidence exists linking electoral integrity to electoral violence? Because the concept of electoral integrity has emerged on the scene only recently, little empirical evidence has been brought to bear. Much evidence is anecdotal, such as the prominent case of the 2007-2008 Kenyan elections crisis. That case underscores the great need to ensure that elections are conducted with a high degree of integrity. The delayed and mismanaged announcement of the results by the Election Committee of Kenya and the unexpectedly high margin of victory sowed the seeds of mistrust and damaged the credibility of the process, as documented by Human Rights Watch (2008). The deadly slide into violence began almost immediately. What followed was months of protests, riots, and police murders that killed some 1,000 Kenyans and displaced an estimated 300,000. The collapse of the Kenyan government and risk of a failed state was narrowly averted thanks to a power-sharing agreement brokered by UN Special Envoy Kofi Annan. However, the scars still run deep in Kenya. Sisk sees the tragic events as evidence that

“electoral processes that are fraught with fraud, mismanagement, and political influence, and which are accompanied by high levels of social violence, can be the stimulus for deeper, serious social conflict” (Sisk 2008, 2).

Significantly, Norris (2012) undertook one of the first quantitative analyses on the subject using cross-national time series data. She applied econometric analysis to the National Elections across Democracy and Autocracy (NELDA) dataset developed by Susan Hyde and Nikolay Marinov, which provides detailed information on electoral processes from 1960-2006 (Hyde and Marinov 2012). Norris concluded that elections with a high degree of electoral integrity are in fact negatively associated with electoral violence. To put it simply, “the quality of elections matters for violence.” She elaborates:

A lack of electoral integrity is believed to heighten public perceptions of electoral malpractices, to undermine confidence in the electoral process and feelings of regime legitimacy, and simultaneously to mobilize the propensity to engage in popular protests, especially among supporters of the losing parties [...] Whether this propensity is channeled through peaceful demonstrations, or else through outbreaks of fatal conflict, is theorized to depend upon the historical experience of democracy and the contemporary type of regime in power (Norris 2012, 4-9).

This study presents some of the most compelling quantitative evidence so far for the link between electoral integrity and violence, and this paper will draw heavily from the proposed framework. However it will also probe deeper into it. While Norris asserts that electoral malpractice can impact whether elections are violent, she does not specify which electoral malpractices are to blame other than references to “stolen, fraud, or simply stacked” elections.<sup>6</sup>

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<sup>6</sup> Upon closer examination, the four indices of electoral integrity used for Norris’ analysis in the NELDA dataset include “Before elections, are there significant concerns that elections will not be free and fair?” “Were opposition leaders prevented from running?” “Is there evidence that the government harassed the opposition?” and “In the run-up to the elections, were there allegations

As discussed, electoral integrity is a much more expansive concept with a lengthy “menu of manipulation.” The following sections seek to generate a richer and more complete picture of which, why, and how malpractices turn violent.

### **Statistical Analysis**

The analysis draws on the Data on International Election Monitoring, a dataset prepared by Kelley and her colleagues at Duke University (Kelley 2012). Kelley is one of first researchers to systematically quantify the torrent of information present in the hundreds of reports produced by monitoring agencies since the enterprise began in earnest in the 1970s and 80s. The dataset is extensive, coding 594 reports by election observation missions for legislative and presidential elections in 108 countries from 1980 to 2004. Approximately 300 different electoral events were observed.

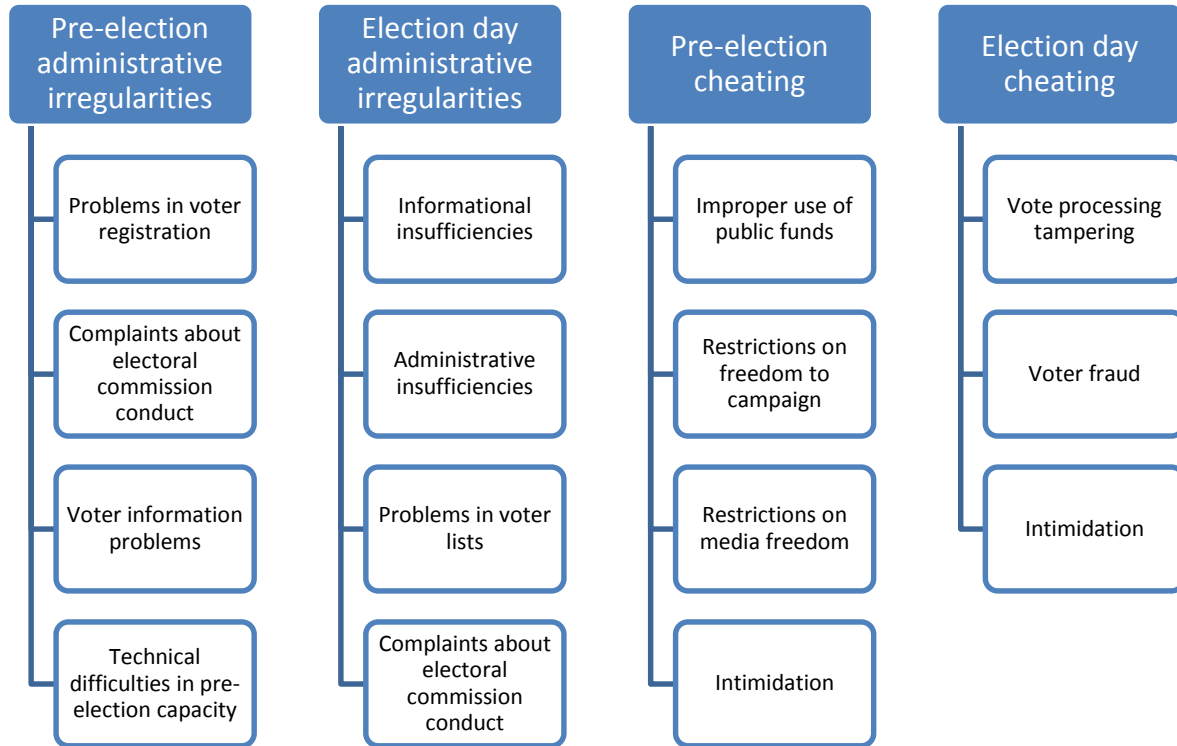
Relevant for the purposes of this research are the election quality variables. These variables represent 15 of the most commonly reported criticisms of electoral processes by monitoring agencies. Figure A charts these criticisms, which are coded by Kelley and divided into six broad categories: pre-election cheating, pre-election administrative irregularities, pre-election violence and unrest, election day cheating, election day administrative irregularities, and election day violence and unrest.<sup>7</sup>

**Figure A:** Fifteen different electoral integrity variables, as documented in election observation reports and coded and categorized by Kelley (2012) (in white)

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of media bias in favor of the incumbent?” While these indices encapsulate a number of important criteria of electoral malpractice, many other possible indices are not captured

<sup>7</sup> Kelley defines electoral violence for the purpose of her dataset as “physical abuses, overall violent clashes, manhandling of persons, grenades, murders, and protests turned violent.”



The assumption made is that these election quality indicators constitute many, but not all, important components necessary for elections with integrity. While far from comprehensive, these 15 variables account for certain blatant forms of electoral malpractice (such as voter fraud and intimidation), subtle forms of malpractice (such as restrictions on media and improper use of public funds), and maladministration and poor electoral governance (such as electoral commission complaints and problems with voter registration). Of course, many other recognized indicators of electoral integrity are absent, such as the presence of opposition parties. As such, these 15 variables included in the analysis represent a useful, if incomplete, index of electoral integrity. Additionally, the degree or extent of each criticism was also coded by Kelley as an ordinal number 0 through 3, where 0 indicates “Good/No problems,” 1 indicates “Low/Minor problems,” 2 indicates “Medium/Moderate problems,” and 3 indicates “High/Major problems.”

An ordered logistic regression test was conducted for three separate models, with violence on election day as the dependent variable and the 15 measures of electoral integrity as the independent variables, for approximately 300 observations (each representing a different electoral event). Model 1 examines the effects of pre-election cheating and pre-election administrative irregularities on the level of election day violence. Model 2 examines the effects of election day cheating and election day administrative irregularities on election day violence. Model 3 looks at all 15 electoral integrity variables and their effects on election day violence. The models are displayed in **Table B** below. For a useful (but not equivalent) visual representation, see **Figure C** and **Figure D**.

**Table B:** The effects of electoral integrity on election day violence, where PE represent pre-election variables and ED represent election day variables.

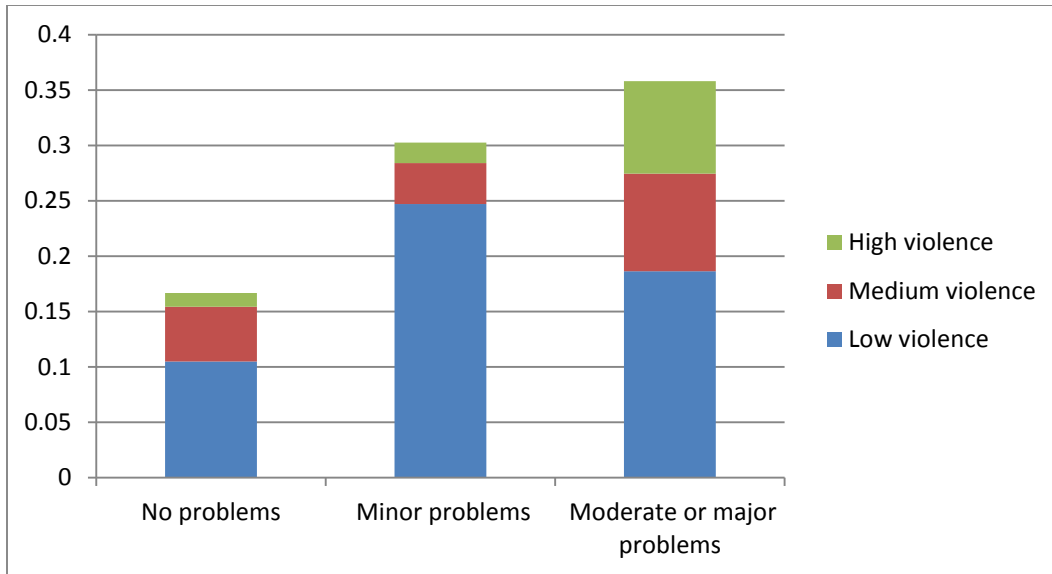
Dependent Variable: Election day violence	Model 1	Model 2	Model 3
PE: Improper use of public funds	.1255783 (.1485434)		.0618121 (.1564092)
PE: Restrictions on campaigning	-.2261616 (.1994269)		-.331054 (.2078728)
PE: Media Restrictions	.2396941 (.1705274)		.1904516 (.1830509)
PE: Intimidation	.6042751*** (.1800361)		.5527791*** (.188219)
PE: Problems in voter registration	.4113603*** (.1565124)		.1623487 (.183227)
PE: Complaints about electoral commission conduct	.1947352 (.1506871)		.0606885 (.1831963)

PE: Voter information problems	-.0297265 (.1732105)		-.0102813 (.1929031)
PE: Technical difficulties with capacity	.1416339 (.1729257)		.1218772 (.1811147)
ED: Vote Processing Problems		.0031911 (.1618412)	.0073498 (.1765567)
ED: Voter Fraud		.3388572** (.1699631)	.1438487 (.1813488)
ED: Intimidation		.5245532*** (.1723204)	.4069034** (.185538)
ED: Informational Insufficiencies		.1168437 (.1877843)	-.0071155 (.2020802)
ED: Administrative Insufficiencies		.1280853 (.2139716)	.059729 (.2275872)
ED: Problems in Voter Lists		.3528561** (.1553443)	.3014481* (.1783952)
ED: Complaints about electoral commission conduct		.1521145 (.1751276)	.0554923 (.1888126)

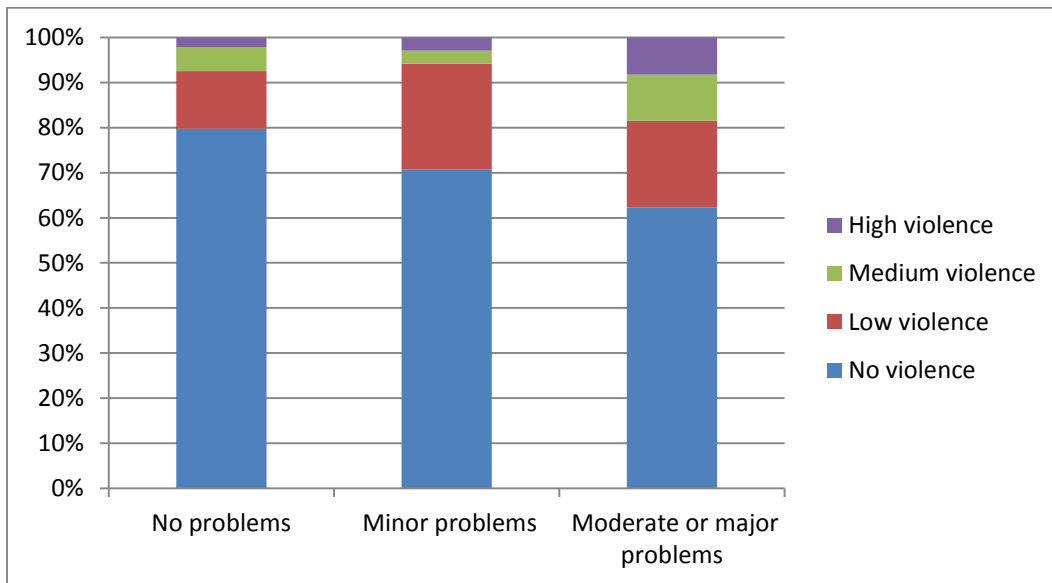
Note: All models are ordered logit. As follows: Coefficient estimate; (standard error).

\*\*\*p<0.01, \*\*p<0.05 \*p<0.1

**Figure C:** Percentage of elections with violent outcomes and pre-election voter registration problems (based on 594 cases).



**Figure D:** Proportion of elections with violent outcomes and voter lists problems on election day (based on 594 cases).



The results are intriguing. As might be hypothesized, the preliminary analysis reveals a clear association between the level of intimidation and the level of violence. The relationship between violence and intimidation both in the pre-election period and on election day is statistically significant across all three models to a p-value of at most 0.05. Intimidation in the dataset is



coded separately from violence and is defined as any number of behaviors such as “threats made by some parties to voters,” “trying to get candidates to drop out of the race,” and “arrest or detention of voters taking political initiatives.” That the level of intimidation is associated with violence is not altogether surprising, as the line between voter intimidation and violence is thin.

Another hypothesized finding is the correlation between voter fraud and violence. Voter fraud is defined in the dataset as “attempts to manipulate the vote during the process of casting the vote” including vote buying, voters being obstructed from entering the polling stations, and voters being transported to several polling stations to vote multiple times. This is not an insignificant finding, and it reinforces the narrative that blatant forms of malpractice can have violent outcomes.

The truly unexpected finding from Model 1, however, is the surprising link between problems in voter registration/lists and violence. The dataset defines voter registration problems *in the pre-election period* as “missing names, dead people still on lists, duplicate voter cards issued, not delivering voter cards on time, incomplete/inaccurate/out of date lists, and voters unable to get their names on the list.” The model indicates that these problems with voter registration in the pre-election period are highly associated with violence on election day, with a logistic coefficient of 0.411.<sup>8</sup> This is not to suggest that the majority of elections with voter registration problems are violent, but that the likelihood of violence breaking out increases as voter registration problems increase, and the severity of the violence worsens as voter registration problems worsen. In addition, the p-value of 0.009 (or about 1%) indicates that this

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<sup>8</sup> One interpretation is that for every 1 increase in the level of pre-election voter registration problems, there is a 0.411 increase in the odds of the log for violence on election day, which (by raising  $e$  to the power of the coefficient) results in an odds ratio of approximately 1.5. That is to say, for every 1 unit increase in voter lists problems, the odds of being in a higher category of electoral violence increases by 1.5, holding all the other variables constant.

correlation is highly statistically significant, and therefore we can infer that pre-election voter registration problems are in fact having a non-random effect on electoral violence in this model.

Model 2, similarly, sees the appearance of problems in voter lists as a statistically significant variable. The dataset defines problems with voter lists *on election day* as “missing names, dead people still on lists, not delivering voter cards in time, lists not in the polling stations in time, incomplete/inaccurate, out of date, and voters turned away because they were not on the lists.” The logistic coefficient is 0.35 and is statistically significant at the  $p < 0.05$  level.

Model 3 is largely consistent with findings from the previous two models, although the significance levels and coefficients are not as high. While voter intimidation continues to be the greatest predictor of outbreaks of violence, problems with voter lists on election day are also significant to the  $p < 0.1$  level. Even with all 15 electoral integrity variables accounted for, there is less than a 10% chance that the link between violence and voter lists problems is due to random chance.

What this suggests is that problems in voter registration/lists, rather than a purely technical consideration necessary for the administration of elections, in fact may trigger violence. It appears that norms of electoral integrity – in particular, the norm that voter registration/lists should be accurate, credible, and transparent — may pose serious implications for conflict prevention.

Despite these revealing findings, the analysis is still preliminary. First, the models lack a battery of controls necessary to determine the true causal implications at work. An obvious next step for research and investigation would be to drop the insignificant variables in the model above and add a variety of control variables to determine if the coefficients are still significant. This might also help to explain under what conditions problems in voter registration/lists do in

fact contribute to violent outcomes. These variables might control for such factors as historic experience with democracy, GDP, and choice of majoritarian vs. proportional representation system.

A second problem area is in the methodology. When more than one monitoring agency was present during an election, it was decided to incorporate data from the more critical observer report rather than the more lenient report. This is because, according to Kelley (2012, 56-57), more critical assessments tend to be more accurate than more forgiving assessments. A different model may have resulted if a combination of assessments was used.

A third problem area is the data itself. The assumption made is that the dataset is an accurate depiction of different quality indicators of various aspects of the electoral process. However, the dataset draws exclusively on reports by international election monitors. It is left to the discretion and capabilities of the individual monitors or monitoring agency to define, identify, and document these malpractices. Because election observers often arrive in a country shortly before polling day and then depart shortly thereafter, they are unable to capture many details in their reports. Other evaluations of electoral integrity, such as expert opinion surveys or public opinion polls, might be used to test the robustness of the model. As a final point, it is worth noting that the number of elections with violent outcomes as recorded in the data is relatively small compared to those that are violence-free, with approximately two to three times as many peaceful elections. No doubt a larger  $n$  would stand to impact the results.

### **Dashed Hopes: the 2003 General Elections in Guatemala**

This section presents a case study illustrating *how* and *why* voter registration/lists can initiate violence. The case draws from the reports of election observer missions to offer some clue as to how seemingly innocuous errors can manifest in violence. The case in question is the November

9, 2003 general elections in Guatemala, which was selected for several reasons. First, the case was taken directly from the data. Second, being relatively recent, it contained a wealth of information and detail based on multiple reports from agencies on the ground, whose version of events tended to coincide to a high degree. Third, the relationship between voter registration/lists and violence was documented relatively explicitly, making it a useful candidate to understand how this process is occurring and to identify the pathways.

The November 9, 2003 Guatemalan elections were only the fifth national elections conducted in the country since the end of military rule in 1985. Following its ascent out of dictatorship and a bloody civil war, Guatemala began a period of democratization guided by an internationally monitored peace process in the form of the *Esquipulas II* peace accords, which included a commitment to democratic governance. According to observer reports, the electoral authorities faced a number of challenges in conducting a free and fair electoral process for the 2003 national elections (National Democratic Institute 2003; The Carter Center 2003; European Union 2003). Previous electoral contests were marred by a variety of criticisms including low voter-turnout, acts of violence and intimidation, vote buying, improper use of public funds, and poor voter education. Many of these same challenges remained as the 2003 contest neared, including a climate of political violence and a renewed wave of human rights abuses targeting journalists and judicial officials.

However, few could foresee another emerging problem which would severely damage the credibility of the electoral commission: problems with voter registration/lists. Previous contests were characterized by minor inconsistencies in this area, but the problem reached new magnitudes in 2003 when it was discovered that approximately 30% of the voter registry contained incorrect information, according to independent audits undertaken after the election

(National Democratic Institute 2003, 5, 26). The November 9 elections were the first time that the integrity of the voter registration/lists was seriously called into question.

The origin of the problem may have stemmed from the sharp increase in the number of registered voters. The conditions surrounding the 2003 elections were notable for an increase in political interest and awareness, citizen activism, and mobilization of civil society groups, some of which received training and technical assistance from international democracy-promotion organizations. As a result of this transformation, women, youth and indigenous Guatemalans registered and turned out in record numbers. Many were spurred to register following the events of *Black Thursday*, in which demonstrations rocked Guatemala City in July 2003 over the suspension of a presidential candidate with ties to the former military leadership. Approximately 55-60% of registered voters came out to cast their ballots, according to Guatemala's Supreme Electoral Tribunal, which marked a new high for Guatemalan elections (The Carter Center 2003, 6).

Unfortunately, this high turnout also had tragic consequences. As election day unfolded, it became clear that the voter registry was seriously flawed. Many voters, who in some cases had traveled long distances from rural villages to arrive at the polling station at 7am, would find themselves turned away by polling officials as their names did not appear on the list. The Carter Center (2003, 38) delegation observed, "The TSE failed to ensure the quality of the electoral roll, as many people who had updated their information prior to the Aug. 9 deadline did not find their names on the electoral roll." The European Union (2003, 9) observers noted a "main liability" of the election was "the failure at the organization of voter lists when allocating voters to polling stations in accordance to the identification records ... As a consequence, many voters were unable to exercise their right to vote." The National Democratic Institute (2003, 28-29) similarly

reported that “election officials were not prepared to handle the huge turnout ... unfortunately, those who had updated their voter information seemed to be most affected, often waiting up to three or more hours in line” and that “irregularities related to the voter registry impeded some citizens from exercising their vote.” The domestic election observation organization Mirador Electoral estimated that in all, some 44,000 to 57,000 voters were disenfranchised even though they showed up to the polls that day (National Democratic Institute 2003, 29). Most of these citizens were either new registrants or individuals who had updated their information in the preceding months. Not surprisingly, all agencies proposed as their chief recommendation the reform and simplification of the national voter registry.

This clash of expectations with reality seemed to undermine the promise of the 2003 elections. Feelings of confusion and frustration developed for the waves of voters denied the opportunity to cast their ballot. “The late announcement by the TSE that the voter registry presented problems was a source of last minute confusion and mistrust,” wrote the EU (2003, 11) delegation. The Carter Center (2003, 38) likewise observed that “polling stations were often overcrowded amid general confusion.” The Organization of American States (2003, 2) delegation recorded “verbal clashes, particularly at the time of closing the voting centers, between the voters and police for fear of not being allowed to vote.”

The reputation of the electoral commission was also at stake. Public confidence in the commission had reached a new low. The EU (2003, 10) reports that “while it was considered until recently as one of the most prestigious public institutions in the country, the TSE has lost part of the voter confidence. Lack of strong leadership ... the untimely and little effective handling of problems with the voter lists, the failure at distributing the lists to political parties, among other shortcomings, have been corrosive to its public image.” Even more worrisome was

that some voters appeared to conflate innocent technical mistakes on the part of the commission with calculated attempts to swing the outcome of the election. Registry errors had “undermined the fairness of voting” in the eyes of citizens (The Carter Center 2003, 20). NDI (2003, 7) observed that the 2003 elections “marked the first time that Guatemalans raised questions about bias in the administration of the election” and found a “widespread perception ... regarding the possible manipulation of the election by the governing party.”

Tragically, these circumstances also appear to have led to incidents of violence and unrest. Polling centers and ballots in the municipalities of Cuyotenango, La Gomera, El Quetzal, and Quezada were set ablaze by mobs of angry demonstrators. In some cases, those responsible for destroying the polling stations were disgruntled voters who had been turned away at the polls or forced to stand in line for hours. In other instances, these actions were attributed to incensed opposition party supporters believing the electoral commission was deliberately turning away undesirable voters. The EU (2003, 61) delegation described the following incident based on a situation report on the ground:

On elections day, November 9, at about 12:00 o'clock a group of people wanted the elections to be declared null and void in El Quetzal. This was due to the large queues and to the fact that many people did not appear or could not be found in the list of voters at the polling stations. The group of angry persons said that only persons from FRG appeared in the lists, and that they would not accept only FRG members to be able to vote. Shortly afterwards persons from different parties started to get all the polling material and burned it outside of the three voting centers of the municipality. The nine present policemen did not interfere, as around 800 persons took place in the burning of the election material. The electorate got afraid and the people left for their houses. At 16:00 Procuraduría de Derechos Humanos arrived together with the Public Prosecutor officials to verify the damages made. ... TSE explained that the burning of the election material is a crime which can be punished with up to 10 years in prison. But as nobody is denouncing the persons who started the riot, there will not be a trial.

What is also surprising about the violence reported above is its contrast with the success of the elections as a whole. For all its shortcomings, the elections marked significant progress from previous contests and were heralded by international agencies as free and fair. “The results expressed the will of the people under fair conditions of freedom and security,” wrote the EU (2003, 7) delegation in its preliminary statement. The OAS (2003, 1) similarly stated that the elections “demonstrated Guatemala’s commitment to democracy.” Gains were made in a variety of areas such as citizen activism, voter education, and political party participation. Many of the other criticisms that had plagued the process in the past such as restrictions on campaigning, an unprofessional media, and widespread voter intimidation were evaluated as less problematic in 2003. This is also reflected in the dataset. The primary criticisms for which a sharp increase was recorded unanimously across the observer agencies is problems with voter registration/lists and election day violence. That the catastrophic handling of the voter registration/lists led to violence despite the overall improvement and success of the election serves to underline the pernicious effects these types of errors can produce.

### **Pathways to Violence: Why Voter Registration/Lists?**

In view of this case study, is it possible to generalize about the larger pathways by which problems in voter registration/lists trigger violence? Drawing in part on the earlier framework proposed by Norris (2012), it is theorized that would-be voters promised an opportunity to exercise their political rights find themselves and their peers unexpectedly denied access to the polls for problems such as an inability to register their names, inaccurate entries, or failure to appear on the lists altogether. These flaws can decrease public confidence in the electoral process, increase perceptions of electoral malpractice, and lead to crushed expectations,



frustration, and grievances toward the ruling party. When other enabling conditions for electoral violence are present, this spontaneous disenfranchisement can serve as an apt trigger of opposition mobilization and violent protests which, in turn, can elicit a violent response from government police and security forces.

However, it remains to be answered *why* problems in voter registration/lists are correlated with higher levels of violence, while many other variables in the model are not. Answering this question may add more specificity and nuance to the above model inspired by Norris. It seems plausible that many of the variables would be just as likely to trigger violence, and they each constitute important aspects of credible and transparent elections held in accordance with international standards. It also seems plausible that voter registration/lists problems might not themselves cause violence, but are merely symptomatic of an underlying cause or causes responsible for the violence. Could voter list problems really be more volatile?

I have identified at least three characteristics which together distinguish this malpractice from others in the model, and they are theorized to contribute to its violence-prone character. First, voter registration/lists problems may affect a large number of voters, often in ways that are both public and personal. Other forms of malpractice, such as vote padding and ballot box stuffing, may occur behind the scenes away from the public eye or after vote casting has concluded. In contrast, voter registration is one of the few times during the electoral cycle when voters directly interact with the machinery of electoral governance. As a result, voters can be personally impacted when they find that their name is missing from the voter list, did not receive their voter ID cards in time, or are turned away from the polling center outright. Indeed, it is hard to imagine a form of disenfranchisement more personal than being turned away from the polling center for being told one's name is not on the registry. This rejection can be quite public and can

occur before the eyes of one's community and peers. As underscored by the riots in Guatemala, it can be a frustrating experience to wait in line at a polling station for hours only to be denied entry.

Second, registry problems can amplify the perception of poorly administered -- or even fraudulent -- elections, thereby reducing public confidence in the process and undermining regime legitimacy. This is theorized to occur in two ways. First, because voter list problems can result from poor electoral governance, they may signal larger problems and deficiencies on the part of the electoral management body. This decreases confidence in the electoral management body and raises larger doubts about the quality of the election as a whole. Second, voter list errors can also result from a calculated attempt to "cook the books," which provides fertile ground for acts of fraud, such as when "ghost voters" end up miraculously casting their vote in favor of the ruling party. In short, voter list problems can open the door to fraud. A related point is that such errors can generate the perception of fraud without being fraudulent. It is easy to conflate innocent technical errors for subterfuge, and even experts cannot always parse the difference. Administrative deficiencies such as long lines or untrained polling workers are rarely attributed to deliberate acts of cheating or a partisan electoral commission. Yet the intentions of the electoral management body are irrelevant when it comes to the perception of fraud.

Third, voter list problems are frequently bound up with rising expectations on the part of voters who believe they will be able to exercise their right to vote. The electoral registry by its nature usually implicates only those members of the electorate who have signaled their intention to vote. This is especially true for individuals actively trying to get their name on the registry, awaiting their voter ID card, or standing in line at a polling station. No doubt expectations are elevated for individuals who may have been recent registrants or first-time voters, and it is often

these individuals who are affected the most when problems break out. The case of Guatemala underscores the danger when expectations – elevated by the enthusiastic electoral climate and record number of registrants – are burst in this fashion. Under these circumstances, it is little surprise that feelings of letdown and frustration ensued. Taken together, these three characteristics may help to explain the propensity of voter registration/lists problems to trigger violence.

### **Implications and Conclusions**

Many theories of the causes and triggers of electoral violence have been proposed. Only recently, however, has the link between norms of electoral integrity and violence been explored. This paper analyzed 15 different variables of electoral integrity – drawing from a dataset of approximately 300 electoral contests between the years 1980-2004 - with an eye towards determining *which* types of electoral malpractices are associated with violence on election day. While the hypothesized variables of voter intimidation and voter fraud are correlated with a violent outcome, less expected was the relationship between electoral violence and problems with voter registration/lists.

A case study of the 2003 Guatemalan general elections revealed *how* flawed voter rolls led to the disenfranchisement of thousands of voters and eventual riots, sparring, and looting and burning of polling places. Drawing from this case study, as well as a framework developed by Norris (2012), it is theorized that would-be voters eager to exercise their political rights find themselves or their peers unexpectedly turned away from the polls for not appearing on the lists or not being able to register. This can generate frustrations, fuel wider suspicions of electoral malpractice and a fraudulent electoral process, and undermine regime legitimacy. In the absence

of other conditions, which have yet to be controlled for but may include such factors as regime type or electoral system choice, this sudden disenfranchisement may catalyze opposition protests and violence. Three characteristics of voter registration/list problems were identified which may help to explain *why* seemingly harmless technical errors can function as a catalyst for violence: their ability to directly impact a large number of the electorate in ways that are often public and personal, their ability to amplify perceptions of fraudulent elections due to the possibility of “cooking the books,” and their linkage with rising expectations on the part of voters who have signaled their intention to vote.

These findings have important implications for practitioners and scholars of peace building and democratization. First, the findings underscore the growing importance of *the role of electoral norms* when it comes to preventing violence. This link between electoral violence and electoral integrity underlines the assertion that norms matter, and elections (especially where voter registration/lists are concerned) ought to be conducted in accordance with international standards and be conducted in an accurate, professional, and transparent manner. Put another way, norms surrounding what constitutes “free and fair” elections and particularly credible voter registration/lists do not merely have implications for regime legitimacy, but indeed have consequences for stability and the breakout of conflict. As such, these emerging normative standards should not be overlooked for those interested in conflict prevention.

Second, in addition to reinforcing the importance of electoral norms, the link between voter registration/lists and violence reinforces the notion that *electoral governance* must be addressed alongside political and developmental efforts when it comes to conflict prevention. Indeed, while elections cannot be disentangled from politics, economics, or social structure, neither can they be detached from the immense logistical and technical undertaking they represent. In effect, the

process of establishing a credible and transparent voter registry should be seen both as a tool of effective electoral administration as well as an instrument of peace building.

Third, the research suggests that *micro-level reforms* can have a substantial impact when it comes to conflict prevention. Interventions aimed at reforming a constitution or electoral laws face many constraints, including political, financial, and temporal. Reforming the voter registration system is a more politically feasible alternative that can still have an over-arching impact, whether one sits in a government ministry or works in an inter-governmental organization. This serves as a rebuff to those who apply only a systems-level analysis. While it is essential to address deeply rooted vulnerabilities, micro-level interventions can sometimes go far in mitigating the scale of violence.

Finally, in light of the above considerations, these findings can help international actors *tailor their interventions* more appropriately in a world of limited funding and resource trade-offs. There are a seemingly endless number of electoral areas where improvement is needed, and it is difficult to know where to focus one's time and effort. In societies where concerns about electoral violence are heightened, this research suggests that practitioners should closely examine problems with voter registration/lists and other electoral quality indicators and consider them among the menu of reform items.

Significantly, current approaches to election-related conflict prevention often diminish the role of electoral governance and norms of electoral integrity, instead emphasizing the inherently political nature of electoral violence and underscoring that change can only come about through institutional reform and a transformation of societies where conflict is occurring. For example, an EU report (2012) on electoral violence in sub-Saharan Africa writes that there is a need to look beyond electoral assistance to wider political context, and that “violence sparked by

elections usually reflects deeper problems: authoritarianism, the high stakes of political competition, or institutions too weak to manage it.”

The research presented in this paper should not necessarily be seen as running counter to this line of thinking; after all, installing a technologically sophisticated electoral registry is meaningless if there is no political will to administer the registry in an accurate, transparent, and professional manner. However, perhaps a key takeaway in this regard is that interventions targeting voter registration/lists (and related reforms aimed at improving electoral integrity and electoral governance) should be considered a vital and worthwhile tool of conflict prevention, as long as they are accompanied by political engagement to ensure that such systems are in fact administered to a high degree of integrity. As the Global Commission on Elections, Democracy, and Security, chaired by Kofi Annan, observes, there is a sense in which “international assistance must go beyond technical advice and create political incentives for implementation” (Deepening Democracy 2012, 56).

Ample opportunities for further research present themselves. First, the robustness of the model should be tested. This might mean applying different econometric tests and replicating the experiment with other data sets, such as the index of electoral malpractice developed by Sarah Birch (2012), who codes observer reports from 1995-2006 for 14 different electoral integrity criteria. A battery of controls is also a logical next step for those looking to problematize the model. This might help to explain under what conditions voter registration/lists problems do and do not lead to violence. Additionally, the many different varieties of electoral registries were scarcely mentioned. Electoral registries are host to a number of technical and logistical considerations, and no two registries are administered in the same fashion. Are technologically-

sophisticated systems such as biometric databases more credible in the eyes of the public? Or are paper rolls sufficient as long as they are administered to a high degree of accuracy?

It is often said that democracy is a fragile thing. The relationship between voter registration/lists problems and electoral violence may underscore this truism. A few missing or manipulated lines in a voter registry do not seem to merit much attention, yet the chain of events they set in motion can, in some cases, escalate to violence and derail democratic processes. A credible, accurate, and transparent voter registry may, as the saying goes, be the nail that saves the kingdom – or in this case, liberal democracy.

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