



The Distance Between Us – Minding the Democratic Governance Gap Beyond the Ballot

An occasional paper series by Ebrahim Fakir and Magdalena Ndindi Kieti

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Abbreviations

Abbreviation	Definition	Country
ANC	African National Congress (Chapter 1)	South Africa
ANC	Amani National Congress (Chapter 2)	Kenya
CIPEV	Commission of Inquiry into the Post-Election Violence	Kenya
COPE	Congress of the People	South Africa
DA	Democratic Alliance	South Africa
DP	Democratic Party	Kenya
ECF-SADC	Electoral Commissions Forum of SADC Countries	–
ECK	Electoral Commission of Kenya	Kenya
EFF	Economic Freedom Fighters	South Africa
EISA	Electoral Institute for Sustainable Democracy in Africa	–
EMB	Election Management Body	Kenya
ETT	Electoral Task Team	South Africa
EU	European Union	–
EVAP	Eligible Voting-Age Population	–
FG	Focus Group	–
FGD	Focus Group Discussion	–
FORD	Forum for the Restoration of Democracy	Kenya
GDP	Gross Domestic Product	–
Gen Z	Generation Z	–
GNU	Government of National Unity	South Africa/Kenya
HSRC	Human Sciences Research Council	South Africa
ICC	International Criminal Court	–
ICT	Information and Communication Technology	–
ID	Identification (Document)	–
IDLO	International Development Law Organization	–
IEBC	Independent Electoral and Boundaries Commission	Kenya
IEC	Independent Electoral Commission	South Africa
IFP	Inkatha Freedom Party	South Africa
IIEC	Interim Independent Electoral Commission	Kenya
ILO	International Labour Organization	–
KANU	Kenya African National Union	Kenya
KHRC	Kenya Human Rights Commission	Kenya
KNBS	Kenya National Bureau of Statistics	Kenya

Abbreviation	Definition	Country
KNCHR	Kenya National Commission on Human Rights	Kenya
MAC	Ministerial Advisory Committee on Electoral Reform	South Africa
MCA	Member of County Assemblies	Kenya
MK	uMkhonto weSizwe	South Africa
MP	Member of Parliament	–
NARC	National Rainbow Coalition	Kenya
NCIC	National Cohesion and Integration Commission	Kenya
NDP	National Development Party	Kenya
NNP	New National Party (successor to the apartheid era National Party)	South Africa
ODM	Orange Democratic Movement	Kenya
PNU	Party of National Unity	Kenya
RDP	Reconstruction and Development Programme	South Africa
SADC	Southern African Development Community	–
SANCB	South African National Council for the Blind	South Africa
SASAS	South African Social Attitudes Survey	South Africa
SID	Society for International Development	–
Stats SA	Statistics South Africa	South Africa
TIFA	Trends and Insights for Africa	–
UDA	United Democratic Alliance	Kenya

Introduction: Politics, Elections, Government, and the Democratic Governance Predicament

Ebrahim Fakir

1 Democracy and Democratic Governance: Beyond Elections

Across both South Africa and Kenya, democracy appears to be facing an increasing paradox. Electoral institutions have become entrenched, constitutional norms have become more firmly anchored in society, and the processes and procedural rudiments involved in conducting elections have improved substantially over the past three decades. Electoral commissions have become more professional, judicial oversight has expanded, and constitutional and legal protections have become more comprehensive, while political competition and contestation have become increasingly routine. Yet, paradoxically, public confidence in democratic government has weakened significantly. People are expressing declining trust in political parties, legislatures, and governments, as well as in democracy as a set of practices in society and in democratic governments' ability and capacity to exercise power and authority to improve material conditions in society.

This paradox suggests that the principal challenge confronting democratic governance is no longer located primarily in electoral processes themselves, but rather in the increasingly fraught relationship between political contestation, electoral competition, political representation and responsiveness, and governmental authority. While political contestation and electoral competition remain indispensable to democratic public life, they are proving progressively less able to sustain the legitimacy of democratic regimes. The procedural rules and rituals that underpin democracy have become increasingly detached from substantive democratic government.

This distinction between democracy and democratic government is vital. Democracy should neither be understood merely as the provision of rights and liberties nor as the existence of regular elections, constitutional guarantees, or institutional safeguards. These constitute the procedural architecture through which democratic authority is organised, exercised, and instrumentalised. Democratic government, on the other hand, is a distinct set of different but related concerns. It is concerned with the capacity of political institutions to convert electoral mandates into legitimate authority, representative and responsive government, effective administration, and public confidence. In other words, a system of democracy determines how governments are chosen, while a democratic government shapes how authority is exercised after governments have been elected and constituted.

2 Trust, Institutions, and Democratic Inclusion

Both South Africa and Kenya emerged from deeply exclusionary political orders. South Africa's history of colonialism and apartheid constructed a racially stratified state premised on institutionalised political and economic oppression, exclusion, and marginalisation. Similarly, Kenya's historical inheritance bore bitter fruit. Its post-independence democratic trajectory was complicated by a two-decade-long one-party state that entrenched ethnicised patronage and executive dominance. In both cases, the transition to democratic elections in the 1990s was framed as a profound rupture from the past and as an opportunity to build inclusive political orders grounded in rights, liberties, democratic values, electoral competition, and representative, responsive public institutions. Yet the 25- to 30-year horizon that this collection surveys reveals a more complex reality. Formal inclusion through elections coexists with enduring patterns of social exclusion, uneven access to state benefits, and declining trust in institutions.

South Africa's elections from 1999 to 2024 were widely regarded as free, fair, and credible. The Independent Electoral Commission (IEC) maintained strong legitimacy relative to other public institutions, and the proportional representation system enabled the inclusive participation of a wide range of people and parties. However, deep socio-economic exclusion, racialised poverty, high levels of inequality, rampant youth unemployment, high levels of criminality, violence, corruption, and collusion between criminal networks and elements within the government and the private sector collectively conspire to increasingly erode trust in government institutions. The South African paper highlights how the country has maintained elections of unimpeachable procedural integrity from 1999 to 2024, with the IEC generally perceived as legitimate and competent. Yet, as the study documents through focus group evidence, survey data, and long-term electoral trends, citizens increasingly feel that democracy has failed to deliver substantive gains. The decline in voter turnout, rising abstentionism, weakening parliamentary oversight, and erosion of state capacity have collectively produced a legitimacy recession – a situation where democratic procedures remain intact, but democratic satisfaction declines.

The Kenyan paper illustrates a system characterised by repeated contestation over electoral credibility – from the violence in 2007 to the constitutional overhaul in 2010, and the annulled 2017 presidential election – as well as the persistent politicisation of the electoral management body. However, Kenya has also demonstrated institutional adaptability through judicial assertiveness in resolving electoral disputes, incremental strengthening of electoral administration, and innovative inclusion mechanisms, such as gender quotas and devolution. However, as the paper stresses, Kenya remains constrained by ethnic bloc voting, elite-driven coalition politics, and a political culture in which legitimacy derives less from governance performance and more from communal representation.

Kenya's volatile trajectory is marked by cycles of election-related violence (1992, 1997, and 2007), major reforms (the 2010 constitutional reform process), and periodic crises of electoral legitimacy (2017). Although the Independent Electoral and Boundaries Commission (IEBC) has

strengthened its administrative capacity, public trust remains fragile. Confidence in Kenyan public institutions tends to fluctuate dramatically, rising during moments of reform but plunging during contested elections. Moreover, Kenya's patterns of inclusion remain uneven. While the 2010 constitutional reform process expanded representation through devolution, proportional party lists, and gender quotas, substantive inclusion remains constrained by ethnic clientelism, patronage politics, and enduring inequalities.

The two countries were selected for this occasional paper series not as representative examples of countries on the continent, but because they offer analytically productive comparisons. Both are large, economically significant, and regionally influential states. Both have experienced sustained multiparty electoral competition for more than three decades. Both have undergone constitutional reform, coalitional reconfiguration, and faced challenges to the credibility of their electoral management bodies. Both have seen a measurable erosion of public trust in political institutions, along with persistently high levels of socio-economic inequality and unemployment. In both cases, elections, however technically well-administered, have struggled to generate the sense of substantive inclusion that democratic legitimacy ultimately requires.

The principal sources of instability also differ. In South Africa, political violence has evolved from the interparty conflicts of the transition era into a persistent, low-intensity form of targeted killings linked to government contracts, public procurement, tenders, and competition for political office as an economic opportunity. This violence is a direct consequence of the fusion between political incumbency and patronage networks at the local government level.

In Kenya, violence is more episodic but more devastating when it erupts. It is rooted in unresolved land grievances, ethnic mobilisation by elites, and the manipulation of organised youth militias, most catastrophically during the 2007–2008 post-election crisis, when over 1 500 people died. The scale and character of electoral violence differ, but both countries reveal that where political office is fused with economic opportunity, elections become high-stakes contests in which the incentives for manipulation, coercion, and fraud are embedded in the political and electoral processes.

In both countries, people express high expectations of democratic government, low satisfaction with governance outcomes, and declining confidence in representative and executive institutions. In both South Africa and Kenya, declining trust reflects the gap between electoral processes and government responsiveness. This suggests that the future of democratic stability in both countries depends not only on improving electoral mechanics but also on strengthening institutions of accountability and ensuring that democratic processes deliver tangible improvements in people's lives. Despite their different trajectories, both countries face a similar structural problem: electoral democracy has not translated into deepened democratic governance. Elections occur regularly and often credibly, but governance outcomes – in accountability, service delivery, and socio-economic justice – remain inadequate. Both chapters explicitly show that public trust is shaped not primarily by the quality of elections themselves but by the perceived responsiveness and integrity of government institutions.

3 Representation and Legitimacy Under Pressure

South Africa employs a closed-list proportional representation system designed to promote inclusivity and party diversity in representative institutions. The President in South Africa is indirectly elected by Parliament. Kenya primarily uses a first-past-the-post majoritarian system, complemented by proportional party lists for certain reserved seats to elect the Legislature. These institutional designs shape political competition in distinct ways. South Africa's proportional representation system encourages multiparty representation but weakens direct accountability and entrenches party control over candidate selection. Kenya's first-past-the-post system, featuring a directly elected president, promotes localised representation but also fuels ethnic bloc voting, high-stakes presidential contests, and the marginalisation of smaller parties.

The South African case reveals growing dissatisfaction with party-centric representation. Citizens repeatedly emphasised that the closed-list system limits their ability to hold leaders accountable, resulting in a legitimacy gap where voters feel disconnected from those who govern. South Africa demonstrates notable electoral stability, peaceful elections, strong institutions, and consistent procedural integrity. However, this stability masks a deeper governance crisis characterised by the erosion of parliamentary oversight, widespread corruption, declining service delivery, political fragmentation, coalition instability, and growing public disengagement from the political and governance processes. Although elections remain peaceful and credible, they have failed to address governance failures. This disconnect explains the rising abstentionism and declining voter turnout.

In Kenya, the first-past-the-post system intensifies identity-based politics. Electoral competition is largely framed through an ethnic logic, or what focus group participants in the paper referred to as the "tyranny of numbers". Political power is negotiated by mobilising ethnic voting blocs, and representation thus becomes communal rather than programmatic. Legitimacy is conferred on the basis of ethnic belonging rather than political or policy alignment. Kenya's governance landscape is characterised by recurring election-related violence; elite pacts and negotiated governments (2008, 2018 handshake, and 2024 realignments); ethnic politicisation; institutional vulnerability during presidential transitions; and hybrid governance arrangements that merge formal rules with informal political settlements. In Kenya, elections are stabilised not by institutional trust but by elite bargains; a pattern that produces immediate political stability while entrenching a long-term governance deficit.

This produces two systemic pressures. First, elections become existential contests (especially presidential elections in Kenya), heightening the risk of conflict. Second, elite coalitions become instruments of negotiated legitimacy, where political settlements and agreements between parties, rather than popular mandates, determine governance arrangements.

If elections determine who governs, then representation gives democratic authority its true political meaning. A democratic government depends not only on the constitutional legitimacy

of elections but also on the expectation that those elected represent identifiable social interests and remain accountable to the constituencies that gave them their mandate. Political parties have historically performed this intermediary function by linking citizens to the state, organising interests, articulating programmes, and translating competing social demands into public policy. The deeper challenge confronting both South Africa and Kenya is not simply that people feel inadequately represented within existing political arrangements; it is that political representation has become progressively detached from organised social interests altogether. Political parties have historically served a representative function that extends beyond their role as electoral competitors. Whether organised around class, liberation movements, religion, ethnicity, region, or ideology, they derive both their mandate and legitimacy from identifiable constituencies outside the state itself. They represented organised social interests before seeking governmental office, and governments were understood to govern because they had been authorised by the constituencies whose interests they claimed to advance.

Both the South African and Kenyan cases suggest that this representative relationship is increasingly under strain. Political parties continue to compete vigorously for office, but they are becoming progressively less rooted in organised constituencies outside the state. The deterioration of the relationship between representation and responsiveness occurs largely because parties function solely as electoral vehicles rather than as representative organisations embedded within society. As the link between representation and responsiveness grows progressively weaker in both countries, coalition and coalition governments both reflect and, to some extent, accelerate this deterioration. Coalition governments are often presented as evidence of societal political maturity, as they require negotiation, compromise, and accommodation to incorporate multiple political perspectives into governing arrangements. While this may be theoretically and institutionally correct, it does not fully explain the contemporary character of coalition politics in either Kenya or South Africa. Coalitions emerging in both South Africa and Kenya are increasingly less concerned with aggregating social interests and more focused on consolidating political elites. Their primary objective is the construction of majorities rather than the articulation of coherent policies or governing programmes rooted in identifiable social constituencies. Consequently, coalition formation has become an exercise in numerical aggregation rather than in representative integration. Governments are assembled not because distinct social interests have negotiated a shared programme, but because political parties require sufficient numbers to constitute executive authority.

The consequences for democratic representation, responsiveness, and accountability are considerable. When parties no longer derive their authority from organised constituencies, accountability increasingly becomes internal to governing coalitions rather than external to society. Political leaders become more responsive to maintaining coalition stability than on sustaining their representative relationships with the people they are meant to serve. This might explain why growing numbers of people in both South Africa and Kenya express support for democratic institutions while simultaneously believing that their governments no longer represent them.

In both contexts, legitimacy is increasingly strained by declining trust in political elites, weakened accountability mechanisms, fragmentation of the party system, and the perception that elections fail to deliver meaningful representation. Thus, reforms aimed at democratising representation and responsiveness – whether through changes to the electoral system, strengthening oversight bodies, or enhancing participation – would be central to advancing democratic governance in both countries. The chain of accountability among elections, representatives, institutions, and people has weakened. The result is a gap between electoral choices and governance outcomes, expressed by declining voter participation, increased protest mobilisation, and growing citizen disillusionment.

4 Democracy's Double Burden

There is a tension between the procedural achievements of democratic life in South Africa and Kenya and the substantive failures of democratic governance. The two country papers in this series ask whether elections that are procedurally free, fair, and credible can sustain democratic legitimacy when the resulting governance systems fail to deliver substantive inclusion, redistribution, and responsiveness in the socio-economic outcomes they produce.

Democracy carries a double burden in postcolonial and postliberation societies. It must first prove process and procedural integrity, ensure that liberties and rights are entrenched, maintain robust political contestation, hold genuinely competitive elections, honestly count the votes cast, and ensure that the results reflect the expressed will of the participants in the process. However, it must equally demonstrate the capacity to change society for the better by translating the exercise of political rights into improvements in the material conditions, life chances, and daily experiences of people in society. The process dimensions and procedural burdens in both South Africa and Kenya have largely been met. But on the second score – that of societal transformation, economic advancement, substantive service delivery, and a democratic government that governs in the interest of the people in society – both countries have, to varying degrees and through different pathways, failed to meet it.

In both South Africa and Kenya, elections continue to serve as the mechanism for renewing or transferring power; however, public trust in governance institutions, the responsiveness of political elites, and state accountability have demonstrably declined.

The crisis facing South African and Kenyan democracy is fundamentally one of substance – a failure to translate process and procedural integrity into effective and inclusive government, redistributive justice, and equitable access to public goods, services, and resources.

South Africa has historically held high-integrity, free, fair, and credible elections. However, it faces a crisis rooted in the subsequent performance deficits of successive democratic governments since 1994, which culminated in the political restructuring and realignment of the 2024 elections. In these elections, the previously governing African National Congress lost its majority, necessitating the formation of a coalition government called the Government of National Unity.

Kenya, marked by a history of electoral volatility and perpetual struggles over the independence of its electoral bodies, faces a crisis rooted in the integrity deficit of its political and electoral processes and in the transactional, ethnicised nature of the composition of elite power and authority.

Although the two countries differ significantly in their historical trajectories, constitutional arrangements and electoral systems, they face remarkably similar questions regarding legitimacy, representation, and political authority. The narratives emerging from the two papers reveal a pathology common to both countries: a pervasive culture of impunity and elite accommodation that prioritises access to the state and government over public needs.

The South African paper both describes the problem and constructs a framework for understanding it. It provides a diagnosis of South Africa as undergoing a triple political crisis:

- credibility and legitimacy,
- representation and responsiveness, and
- conscience and consciousness.

Together with a conceptual elaboration of politicised uncertainty and institutionalised ambiguity as features of coalition governance post 2016, as well as its positing of performance-dependent legitimacy as the defining condition of postliberation democratic consent, this work represents an attempt to theorise the current political governance regime. The argument is built through the accumulation of layered evidence spanning three decades.

The paper on Kenya, authored by Magdalena Ndindi Kieti, examines the country's electoral trajectory from 1992 to 2024. It demonstrates a strong command of the empirical record and uses focus group evidence to establish an analytical framework that provides a comparative perspective for testing and enriching theoretical claims.

South Africa represents one of the world's most celebrated negotiated democratic transitions. Its constitutional order is globally admired, and its electoral administration enjoys widespread credibility. The proportional representation system has historically facilitated a diversity of opinions, broad political representation, and inclusivity. Yet declining responsiveness, governmental performance, institutional decay, corruption, persistent socio-economic inequality, and growing public disillusionment with government performance have altered the relationship between people and the public institutions meant to serve them. With the emergence of coalition governments at the municipal and local level after the 2016 local government elections and the requirement for a national coalition government after the 2024 elections, the dynamics through which democratic authority is exercised have further transformed.

Kenya presents a slightly different trajectory. Competitive multiparty politics emerged in 1992 through a more conflictual process, following two decades of one-party rule after independence in 1963. Electoral competition has often been accompanied by episodes of violence,

constitutional contestation, and elite bargaining. The constitutional reforms of 2010 significantly strengthened institutional safeguards, enhanced judicial independence, and improved electoral administration. Nevertheless, political competition continues to be shaped by elite alliances, regional mobilisation, and recurring struggles for state power. Electoral reform has substantially improved procedural integrity without entirely resolving deeper questions concerning representation, inclusion, and governmental legitimacy.

Viewed together, these two country case studies challenge the assumption that improvements in electoral quality will, over time, produce corresponding improvements in democratic governance. However, the evidence from the two case studies increasingly suggests otherwise. Institutional reforms may have strengthened several aspects of electoral administration and management to systematise political contestation and make electoral processes free, fair, and credible, but these reforms have not necessarily transformed the political incentives that structure competition for state power. In addition, the institutional reforms required for effective government have been largely ignored. Consequently, while elections may have become more procedurally credible, political contestation has simultaneously become increasingly centred on control over state resources and patronage networks. Institutional and regulatory reforms have frequently outpaced political reforms. While elections are appropriately understood as an indispensable gateway to democracy and the formation of a democratic government, this understanding has tended to focus on improving electoral credibility and integrity by strengthening electoral commissions, enhancing voter registration, increasing transparency, expanding judicial oversight, and reducing electoral fraud. Yet, democratic authority depends on more than just the credibility of the electoral process, procedural compliance, and integrity. It requires that political institutions remain capable of governing effectively, be responsive to people's needs, resolve social conflict peacefully, allocate resources fairly, and maintain public confidence in the legitimacy of political authority. Where these capacities weaken, democratic legitimacy itself becomes increasingly contingent upon government performance rather than electoral integrity and credibility alone.

While reform and improvements in the electoral process, as well as its management and administration, remain essential – since without credible elections, democracy will be difficult to sustain – electoral processes alone cannot generate legitimacy indefinitely. People increasingly appear to evaluate democracy not only according to whether elections are free, fair, and credible, but also according to whether governments govern responsively, competently, and in the interests of broad constituencies in society.

This shift from process and procedural legitimacy to performance legitimacy represents an emerging feature defining contemporary democratic politics. The implications extend beyond issues of service delivery or administrative competence and concern the foundations on which democratic authority rests. Governments unable to demonstrate responsiveness, accountability, and effectiveness progressively lose the moral authority that elections initially confer. While formal mandates remain constitutionally valid, political legitimacy gradually

erodes without responsive, accountable, and effective government. Public confidence steadily declines, trust in representative institutions weakens and citizens become increasingly sceptical that electoral participation meaningfully shapes political outcomes. The striking declines in voter participation attest to this. As a result, South Africa and Kenya have become societies that appear to occupy an intermediate political position characterised by institutional continuity alongside declining democratic confidence.

Understanding this condition requires going beyond improving electoral processes to examine the broader political relationships through which democratic authority is produced, exercised, and maintained. The comparative analysis developed in this collection is thus organised around three interrelated problems.

First, the central challenge confronting South African and Kenyan democracy is increasingly governmental rather than electoral. While elections remain indispensable, they no longer constitute the principal source of democratic legitimacy. Governments need to continuously reproduce legitimacy through performance, responsiveness, redistribution, and accountability.

Second, the relationship between political representation and democratic legitimacy is undergoing a transformation. Political parties increasingly appear to struggle to mediate effectively between organised social interests and their governmental representation, as well as in the exercise of governmental authority. Coalition politics, rather than resolving this challenge, has compounded the problem in both Kenya and South Africa by shifting the locus of political bargaining from society strictly to the realm of negotiations between political elites. What coalition politics increasingly exposes is not simply fragmented legislatures but fragmented representation itself. Political parties once claimed legitimacy because they organised identifiable constituencies, such as workers, liberation movements, regional interests, ideological communities, or ethnic blocs. Increasingly, coalitions derive authority from negotiated majorities whose social foundations are considerably less clear. The question, therefore, becomes not simply whether governments command majorities, but whether those majorities remain anchored in organised interests in society beyond the state itself.

Third, institutional reforms alone cannot secure democratic sustenance and advancement when the political incentives shaping competition for state power remain fundamentally unchanged. Electoral institutions may be able to improve, while the political behaviour of elites in office continues to reward predation, patronage, elite bargaining, and factional competition as a means of accessing public resources.

South Africa and Kenya illuminate these dynamics from different trajectories but remarkably similar democratic predicaments. The comparative significance lies not in demonstrating identical political outcomes but in revealing common tensions confronting democratic governance across diverse institutional settings.

Having established the basis of the comparative analysis, the following section sets out how the research was conducted and the evidence it draws upon.

5 Research Objectives, Scope, and Methodology

5.1 Research Objectives

The two research papers provide a comprehensive review of the complex interplay between politics, elections, democracy, and democratic governance in South Africa and Kenya, focusing specifically on the themes of inclusion, representation, trust, and confidence. The studies critically examine the nexus of these elements within the context of each country's electoral stability and institutional integrity, including aspects of electoral management and administration. The time frame spans approximately from 2000 to 2024 for South Africa and from 1992 to 2024 for Kenya. This period is significant as it covers the consolidation of democratic institutions in both countries, the emergence of structural governance challenges, and the most recent electoral cycles in each case, allowing for both a longitudinal analysis of democratic trajectories and an assessment of the latest evidence.

The objectives are multifaceted and interrelated. First, the papers aim to provide detailed analyses of the electoral landscapes of the two countries, outlining the evolution of their respective electoral systems, tracing the histories of competitive democratic elections, and focusing on significant instances of election-related conflict, violence, and institutional crises. Second, both papers analyse the major achievements and persistent challenges within the electoral process, management, and administration, assessing their impact on democratic governance. They do so not as a technical audit of administrative performance but as an assessment of the relationship among administrative quality, public trust, and political participation. Third, a significant portion of the research is dedicated to presenting and analysing key socio-economic indicators and situating these indicators within the analysis rather than treating them as background context. These factors include the Gini coefficient, poverty rates, unemployment, average household income, access to basic services, health outcomes, and life expectancy. The emphasis is on disaggregation by race and class where the data permits. Fourth, both papers incorporate and evaluate data on social relations, interpersonal trust, and levels of institutional trust in core public and governmental institutions, including the executive, Parliament, local government, the police, and the justice system, before providing a critical evaluation of how trends in socio-economic indicators and the performance of government services collectively signal patterns of inclusion and exclusion within and from the political and electoral process.

The overarching purpose is to illuminate the intricate relationships between political and institutional processes, as reflected in people's perceptions and lived realities of political, electoral, and democratic governance systems. The historical review of electoral processes, together with data on voter turnout and trust in public institutions, is contextualised to incorporate attitudes and perceptions gleaned from focus group research. The focus group data does not function as representative public opinion but as interpretive evidence, providing an understanding of political and institutional dynamics that surveys measure but do not explain,

and that official data cannot capture. Both forms of evidence are necessary, as neither is sufficient on its own.

5.2 Methodological Approach

The research draws on multiple, mutually reinforcing sources of evidence, each of which compensates for the limitations of the others and together provides a richer account of democratic governance than any single source could.

The primary quantitative sources include electoral data from the respective electoral management bodies – the IEC in South Africa and the IEBC in Kenya. This data is supplemented by socio-economic information from national statistics offices and international datasets, including Statistics South Africa, the Kenya National Bureau of Statistics, the World Bank, and the United Nations Development Programme. Survey data on institutional trust, social attitudes, and democratic values is drawn principally from Afrobarometer, which is the primary comparative survey instrument for measuring public attitudes towards democracy and governance in Africa. In the South African case specifically, data is also drawn from the South African Reconciliation Barometer and the Human Sciences Research Council's South African Social Attitudes Survey. Where multiple survey sources are available, the papers note points of convergence and divergence and exercise appropriate caution regarding trend claims that rely on single-source data.

The primary qualitative source is focus group research conducted in South Africa and Kenya in 2025. In South Africa, two focus group sessions were conducted in Johannesburg, each comprising between ten and fifteen participants from diverse demographic backgrounds to reflect variation in age, gender, class position, electoral experience, and geographic origin. One focus group comprised exclusively of voters whose only participation in the electoral process was as voting citizens. The second group comprised individuals who were involved with the electoral process in some professional capacity – such as election observation, elections training, covering elections as journalists or analysts, party or poll watching agents, or electoral officials. In Kenya, focus groups were similarly conducted with participants reflecting relevant demographic and regional variations. Selection was purposive rather than statistically representative, with the objective being analytical depth and a diversity of perspectives, not demographic extrapolation. Sessions were facilitated by trained moderators, recorded with participants' consent, and professionally transcribed. All participants are anonymised throughout this series and are identified in citations only by group designation and approximate timestamp.

The papers also draw on election observation reports as primary sources for assessing the quality of the electoral process and the administrative performance of electoral management bodies. The reports include those from the Electoral Institute for Sustainable Democracy in Africa, the African Union, The Carter Center, and domestic observer missions. Where these reports are used, the papers attentively distinguish between observer assessments of process

quality and the substantive legitimacy questions that process quality alone cannot resolve. A positive observation report confirms that an election was administered credibly; it does not confirm that the governance system resulting from the election will be responsive or accountable.

Several concepts used in the framing introduction and conclusion originate from the South African paper and are applied comparatively in the series framing. These concepts include performance-dependent legitimacy, politicised uncertainty, institutionalised ambiguity, the contagion effect, collaborative criminal governance, and the triple crisis framework. The Kenya paper develops its own conceptual contributions, particularly the concept of managed legitimacy and the analysis of the political economy of electoral violence, which enrich and, in some respects, complicate the framework developed in the South Africa paper. The series framing integrates both sets of conceptual tools, drawing on the South Africa paper's theoretical architecture while extending it through the Kenya paper's conceptual and empirical materials.

6 The Analytical Framework: Four Dimensions

Both papers are organised around four analytical dimensions: inclusion, representation, trust and confidence, and participation. These concepts are elaborated in the methodological note that accompanies this series. Their comparative application across the two cases generates productive analytical tensions that run throughout both papers and are drawn together in this introduction and the concluding synthesis.

6.1 Inclusion

In both cases, inclusion extends beyond the formal right to vote. What both papers foreground is the persistent and deepening disjuncture between formal political inclusion and substantive socio-economic exclusion. In South Africa, the Gini coefficient remains among the highest in the world; Black Africans face unemployment rates over five times those of White South Africans; and the spatial legacies of apartheid continue to determine access to basic services, health outcomes, and life chances across the geography of the country. In Kenya, inequality has persisted across successive regimes, with the top 20% of earners controlling over 60% of national income, land injustices remaining largely unresolved across multiple constitutional cycles, and youth unemployment deepening despite periods of robust macroeconomic growth. In both cases, formal electoral inclusion coexists with — and is progressively undermined by — structural socio-economic exclusion that citizens experience as a fundamental breach of the democratic promise.

The South Africa paper theorises this disjuncture as the gap between the constitutional achievement of 1994 and the persistent material conditions that the governance architecture produced by that settlement has failed to transform. The Kenya paper documents a parallel disjuncture between constitutional ambition and governance reality, in which successive regimes have achieved growth without redistribution, producing what the paper describes as

“procedural order but substantive fragility”. Both formulations describe the same phenomenon: the form of democratic inclusion has outrun its content, and the gap between them is what is draining democratic legitimacy of its force.

6.2 Representation

Representation is formally secured in both systems through different mechanisms – proportional party lists in South Africa, and constituency seats combined with reserved proportional representation allocations in Kenya. However, both cases reveal the limitations of descriptive representation when it is separated from substantive responsiveness. In South Africa, the closed-list system ensures proportional party representation but systematically insulates elected representatives from accountability to specific constituencies or communities. There is no mechanism by which a citizen can remove an individual representative who has failed them without also removing the entire party. The representative answers to the list, the list answers to the party leadership, and the party leadership, in turn responds to its own internal factional dynamics. Citizens are structurally removed from the process that determines who governs them.

In Kenya, the first-past-the-post system creates direct constituency links but embeds a winner-takes-all dynamic that transforms ethnic coalitions into vehicles for resource capture rather than policy delivery. Even when the formal structure creates constituency accountability, political culture frequently overrides it. This is analytically important and should temper the standard reform prescription that a constituency system automatically produces accountability.

Accountability requires not only formal structures for constituency representation but also a political culture and incentive environment in which those structures operate. Without that culture and those incentives, a constituency system can produce a different type of elite insulation – one that is geographically proximate but just as politically impervious to citizen control as a closed-list proportional representation system.

Focus group participants in both countries articulated the gap between presence and responsiveness with striking directness. In South Africa, the observation captured in “We don’t vote for the people we love, we vote for a party” reflects frustration with party-mediated representation, which makes individual accountability essentially impossible. In Kenya, the “table manners” formulation – that “it is beautiful to eat from a government you did not vote for” – captures with dark precision the transactional nature of elite accommodation, which substitutes co-optation for accountability. Both remarks illuminate the same underlying failure: that representation, as it is actually practised in both systems, serves elite interests more reliably than citizens. This occurs through mechanisms that the formal structures of each electoral system appear to preclude but that the political culture and incentive environment have made characteristic.

6.3 Trust and Confidence

Although trust in institutions has declined in both countries, the trajectories differ. In South Africa, the decline is broad and generalised: confidence in the national government fell from 69% in 2004 to 23% in 2022; trust in Parliament dropped from 65% to 21%; and trust in local government decreased from 48% to 25%. The IEC, historically the most trusted institution in South Africa's political landscape, has seen its standing decline from 71% in 2010 to 44% in 2023. This decline was not primarily due to its own administrative failures but rather to what the South African paper terms the contagion effect. The effect refers to a dynamic in which institutional legitimacy is not simply a function of institutional performance but also of the broader political ecology in which an institution operates. An institution that performs well but is embedded in a political ecosystem that is broadly discredited will suffer reputational damage it has not caused itself. The IEC's declining trust ratings are, in this sense, a measure of the deterioration of the political class as a whole, not of the commission's own conduct.

In Kenya, trust is more volatile and institutionally specific. The Judiciary emerged from the 2017 Supreme Court nullification of the presidential election as a relatively credible institution – one that had demonstrated a willingness to exercise genuine independence against executive power. In contrast, the IEBC experienced a sharp pre-election drop in confidence, from 65% in 2017 to 41% in early 2022. This is partly because of the electronic failures in 2013 that prompted accusations of deliberate manipulation, and partly because the commission's independence has been repeatedly compromised by the politics surrounding its appointment and composition. The independence of the Electoral Commission matters profoundly. When it is compromised, whether actually or merely in public perception, the downstream consequences for trust, participation, and the potential for conflict are severe. A focus group participant in Kenya gave this mechanism its clearest formulation: "If we don't even trust the Judiciary, then we just settle our matters in the streets". This remark is analytically important because it identifies the mechanism through which declining institutional trust converts into political violence: not through any direct causal pathway, but through the erosion of institutional channels that allow legitimate grievances to be pursued and resolved without resorting to force.

6.4 Participation

Voter turnout has declined in both countries, though from different baselines and for somewhat different reasons. The difference in reasons is analytically significant and has distinct implications for reform. South Africa's turnout has declined from 89% in 1999 to 58.6% in 2024 among registered voters, and to just 41% of the eligible voting-age population. This means that by 2024, the largest single cohort in South Africa's electorate consisted of non-voters. Similarly, Kenya has experienced its own declining trajectory, from a post-constitutional high of 86% in 2013 to 64.77% in 2022.

In Kenya, lower participation is substantially rooted in distrust of process integrity: the perception that the electoral process can be manipulated and that votes may not be honestly counted. The barriers are structural, procedural, and perceptual, including onerous identification card requirements for voter registration that are unnecessarily burdensome and serve no discernible public purpose. In contrast, process integrity in South Africa is not seriously in doubt. The IEC's credibility as an administrator remains substantially intact, and citizens do not generally question whether their votes are counted accurately. South Africa's declining participation is rooted in distrust of governance performance; therefore, the issue is not "will my vote be counted?" but "will my vote change anything?". These are distinct crises that require different responses. Prescribing better electoral administration for South Africa's participation problem answers a question that is not being asked. What is being asked is whether the political system produces governance that citizens experience as materially consequential.

Both papers resist the easy interpretation of declining participation as apathy. The South African paper is particularly insistent that declining voter turnout is, for the most part, a rational withdrawal from a process perceived to have repeatedly disappointed, rather than a failure of civic education or voter mobilisation campaigns. Citizens have not stopped paying attention to politics; rather, they have made a considered judgement that their participation in its formal rituals does not reliably produce the outcomes they need. Youth disengagement is the most pronounced dimension of this withdrawal: South Africa recorded just 45% turnout among 18–19 year olds in 2024, a 35 percentage point decline from 2019; Kenya saw youth voter registration fall from 5.2 million in the 2013–2017 cycle to 2.5 million ahead of 2022.

Chapter 1:

Politics, Elections, and Democratic Governance in South Africa: Inclusion, Representation, Trust, and Confidence – A Review of the Nexus Past and Present

Ebrahim Fakir

Abstract

This paper provides a comprehensive analysis of South Africa's democratic trajectory over the three decades spanning 1994 to 2024, with a specific focus on the evolution of its electoral systems and the deepening disjuncture between procedural democracy and substantive socio-economic transformation. It evaluates dimensions such as inclusion, participation, legitimacy, peace and security, and election management and administration. Utilising election observer reports, statistical data, media reports, and academic literature, supported by focus group research, the analysis finds that South Africa's elections were consistently free and fair, bolstered by robust institutional frameworks. However, enduring socio-economic inequalities, together with declining levels of trust and confidence in key public institutions, have led to decreased voter participation in elections. The political fracturing of organisations into factions and fractions, as well as the growing influence of small and micro-parties and traditional leaders on the political process, poses significant challenges to democratic governance.

South African elections and the trajectory of democratic governance post-apartheid are categorised into three distinct phases. The First Decade of Democracy (1994–2003) focused on institutionalising democracy and dismantling apartheid structures through the Reconstruction and Development Programme, although early signs of executive overreach and accountability gaps were already emerging. The Second Decade (2004–2013), characterised by macroeconomic stability and technocratic centralisation under Thabo Mbeki, was followed by the rise of factionalism within the governing African National Congress, neoliberal shifts in policy, and the onset of systemic corruption scandals, most notably the arms deal and police corruption. The Third Decade (2014–2024) was defined by intensified corruption and state capture, the erosion of state capacity, and a significant decline in voter turnout – dropping from 77.3% in 2004 to 73.5% in 2014, and continuing downwards as disillusionment took root.

The 2024 elections culminated in the African National Congress's loss of its governing majority. The trend of the ANC's electoral decline has been evident since the 2011 local/municipal government elections, further accelerated in the 2016 local/municipal government elections, and consolidated in 2021, when the ANC lost its majority in six out of eight metropolitan municipalities. In the 2024 national and provincial elections, the ANC lost its outright national majority, requiring a coalition to govern as the leading party. A ten-party coalition called the

Government of National Unity was formed, which included the main opposition party, the Democratic Alliance.

Despite governmental reconfiguration, structural exclusion persists. The roots of structural exclusion can be traced to successive policy failures, which were often contradictorily configured, leading to poor government performance. A deficient electoral system and a deferential political culture working in tandem have led to a lack of oversight, excessive executive deference, outright corruption, and the seepage of criminal syndicates into governmental processes.

Identity politics, crime, protests, gender-based violence, and other social pathologies continue to erode social solidarity despite formal mechanisms of inclusion. Instability sources include inherited historical racial cleavages and tensions, extreme economic inequalities, and structural economic exclusion (another inheritance from the past), which are exacerbated by unaccountable, unstable, and poor government performance. While elections have remained procedurally free and fair, they have struggled to engender deep public trust and inclusive social stability. Ultimately, elections alone cannot sustain democracy and democratic governance without substantive changes aimed at bridging socio-economic divides and reinforcing public confidence in institutions.

A central pillar of the paper is the critique of the party-list proportional representation system. While designed for inclusivity, the proportional representation system has fostered a party-centric culture that shields representatives from being responsive to the electorate. The paper examines the Electoral Amendment Act of 2023, which allowed independent candidates to contest national and provincial seats for the first time in 2024. However, this anomalous electoral model had inherent structural defects, such as forcing individuals to compete against the resource-heavy machinery of established parties. Drawing on Afrobarometer and South African Reconciliation Barometer data, as well as qualitative focus group insights, the paper highlights a shift towards instrumental democracy. Citizens, particularly the youth, increasingly value what can be labelled as performance-based legitimacy (housing, jobs, and safety), with some expressing a willingness to trade democratic norms for effective service delivery. While the Electoral Commission of South Africa retains higher legitimacy compared to other public institutions, this legitimacy is in decline – partly due to increasing administrative and logistical errors in electoral management, but largely due to the contagion effect from other public institutions in decline and the sustained, baseless attacks on the Electoral Commission by leaders and political parties.

This paper argues that South Africa does not face a crisis of democracy. Elections remain procedurally free and fair, and the constitutional architecture is largely intact. Rather, there is a crisis of democratic governance rooted in structural incentives embedded in the closed-list proportional representation system, which have systematically rewarded upward accountability to parties over downward accountability to citizens. The consequence has been a self-reinforcing cycle in which party fragmentation erodes institutional trust, institutional trust depresses

participation, and declining participation further weakens the mandate and legitimacy of those elected to govern. Unless future reforms move beyond cavalier legislative adjustments and address the core demand for geographically proximate, responsive accountability, the legitimacy of South Africa's democratic project will remain at risk.

Taken together, several recent studies on metropolitan voting behaviour, voter fluidity, and declining turnout suggest a broader transformation in the foundations of electoral support. South African elections are increasingly characterised by weakened partisan attachment, higher strategic abstention rates, and stronger performance-based evaluations of government, all of which reinforce the paper's argument that democratic legitimacy has become progressively more contingent on governmental responsiveness and effectiveness (Dlamini et al., 2026; Paret, 2025; Paret & Bekker, 2021; Paret & Runciman, 2023; Schulz-Herzenberg, 2022).

1 Introduction

South Africa's democracy and democratic government¹ formally commenced with the historic formal negotiation and transition process from 1990 to 1994, culminating in the 1994 elections. This period marked a profound shift from apartheid era racial and ethnic segregation, exploitation, and oppression to an inclusive multiracial, constitutional democracy founded on universal suffrage and equal rights. Although the 1999 general election was less emotionally charged than the founding democratic elections in 1994, it still represented a crucial moment in the full acceptance of the country's transformation into a free, legally equal and inclusive constitutional democracy, despite some contestation over the indigenous authenticity of the Constitution (Modiri, 2018).

South Africa's Constitution enshrines universal suffrage² and proportional representation³ as cornerstones of its post-apartheid democracy. Since 1994, national, provincial, local, and

¹ The term 'democracy' is often deployed in a vague and expansive manner, obscuring crucial distinctions. At minimum, democracy can be disaggregated into three primary dimensions: (i) civil and political rights, which ensure basic liberties and protections for individuals; (ii) transparency and accountability in decision-making and resource distribution, including legal and administrative mechanisms for constraining power, separating powers and ensuring that those making decisions are responsible and answerable for them, and that those implementing them are responsive for what they are doing, and that there is some supervision and oversight over the implementation of their decisions; and (iii) electoral representativeness, which provides a mechanism for freely selecting leaders, allowing for a free competition and contestation of political ideas, and making policy decisions responsive to the electorate. I therefore distinguish democracy from democratic government, though the two are interrelated. Democracy refers to a normative form of politics, a set of practices in society that includes the conduct of free and fair elections, the ability to exercise fundamental political rights, freedoms and the liberties afforded to individuals, as well as the ability to freely participate in public affairs unencumbered and with the requisite ability and agency to do so. Democratic government includes these dimensions but emphasises the way in which power and authority are constituted, used, and instrumentalised. Furthermore, it focuses on the dimensions of the separation of powers, separation of functions, oversight over the executive and administrative arm of government by the legislatures, restraints on the use of power and authority, and the degree to which power holders and elected representatives are accountable and responsive.

² Constitution of the Republic of South Africa, Act 108 of 1996, Chapter 1, 1(d).

³ Constitution of the Republic of South Africa, Act 108 of 1996, Chapter 4, 46(1)(d); Chapter 6, 105(1)(d); and Chapter 7, 157(2)(a)–(b) and 157(3)–(4).

municipal government elections have been held regularly, overseen by the Electoral Commission of South Africa, colloquially known as the Independent Electoral Commission (IEC). In historical terms, the period spanning 1999 to 2024 represents a significant phase in this trajectory, characterised by notable advancements in enshrining rights and liberties, codifying rules for political competition, systematising political contestation and consolidating electoral institutionalisation. Equally evident over this 30-year trajectory were weaknesses in democratic government processes, ineffective mechanisms for democratic oversight, few restraints on executive authority, a lack of accountability and poor governmental responsiveness. Recent scholarship suggests that this period was also characterised by a gradual weakening of stable party attachment. Everatt (2016) argues that the post-apartheid era was marked by the erosion of the African National Congress's (ANC) aura of electoral inevitability, while more recent electoral studies demonstrate that voter behaviour has become increasingly contingent on assessments of government performance and responsiveness (Paret, 2025).

The period from 1994 to 2003, often called the First Decade of Democracy, was dedicated to establishing democratic institutions and initiating efforts to meet the basic needs of the people. This foundational phase aimed to dismantle structures of exclusion and lay the groundwork for a more inclusive society. This was achieved by eradicating race-based laws, amalgamating the racially segmented and duplicated apartheid bureaucracy into a single entity, and reincorporating the Bantustans (homelands)⁴ into a unified national state. Despite the optimism during the first phase of democratic government and the successes in establishing democratic norms and institutions, this period simultaneously saw the erosion of Parliament's ability to exercise independent oversight over executive actions. Out of deference to the interests of the governing or majority party – in this case the ANC – the power of Parliament and other legislatures, such as provincial parliaments and local councils, to act as a restraint on the abuse of executive authority and arbitrary actions diminished during this period. This erosion became acute during the initiation of the arms deal inquiry at the National Parliament (Fakir, 2001, February, 2006, pp. 123–142). Although the initial years of the democratic dispensation were characterised by ambitious aspirations for a just, equitable, and unified society, explicitly articulated through policies aimed at reconciliation and development, the legacy it has left is one of continuing structural inequality, largely defined by race. This persists despite the emergence of an increasing Black middle, managerial and technical occupational class through redress policies, as well as a small coterie of wealthy Black businesspeople, the product of Black economic empowerment policies.

The Reconstruction and Development Programme (RDP) was initiated as a cornerstone initiative designed to address the profound racialised socio-economic disparities inherited from apartheid. These inherited disparities left the country violent, deeply divided, and economically

⁴The Bantustans were created during apartheid as homelands for different ethnic groups. See the entry for 'Apartheid' in the Keywords section of *Democracy and Constitutionalism: Civic Education Conference Report & Keywords* (Fakir, 2023).

unequal, with widespread Black poverty existing alongside extreme wealth, largely concentrated among the White population. As Levy et al. (2014, pp. 12–14) note, “redistribution under the RDP was largely directed at extending services to the poor, rather than addressing social inequality more directly”. Their statement was supported by Branson et al. (2024):

By the late 1990s policies were in place to target discrimination. All of these held out the promise of addressing racial economic divides and were buttressed by an unusual range of active civil society and campaigning groups, which offered the potential for building social capital ... However, other than the roll-out of RDP houses, very little was done in terms of direct asset or wealth redistribution and, given sluggish growth and employment, it is not surprising that inequality has become more, and not less, entrenched.

Politically, during this period in South Africa, amendments were made to the electoral framework permitting floor crossing, which allowed elected members of Parliament, provincial legislatures, and municipal councils to change party affiliation without forfeiting their seats. In a proportional representation system, where seats are allocated to parties rather than individuals, this mechanism represented a notable departure from established principles. Introduced through the Eighth and Tenth Constitutional Amendments and operational from 2002, floor crossing was presented as a means to allow representatives greater freedom of association and to accommodate political realignments in the evolving post-apartheid context.

In practice, the system operated within defined crossing windows and required a 10% threshold of a party’s representatives to defect collectively. While intended to regulate movement between parties, its application had uneven effects across the political landscape. Larger parties were generally better positioned to absorb defections, while smaller parties were more vulnerable to internal fragmentation. High-profile shifts, including changes in municipal control such as in the City of Cape Town during the 2002 municipal crossing period, illustrated practical consequences for governance arrangements when defections from within the Democratic Alliance (DA) (effectively the New National Party component of the DA) occurred to the ANC, handing control of a council that the ANC had not won in elections to it.

The mechanism generated sustained public and political debate, most notably because it weakened the link between voter preferences and legislative composition, and fundamentally distorted the outcomes of legitimate proportional representation elections. Concerns regarding political stability, representation, and accountability ultimately led to its repeal through the Fourteenth and Fifteenth Constitutional Amendments, with floor crossing formally abolished in 2009.

The mechanism overall accelerated a broader crisis of representation and stimulated factional contestation within parties. Public representatives elected by and within parties drifted away from the interests of both the parties and the public they claim to represent, leading to an erosion of institutional trust as voters saw the mandates they gave to parties reshuffled through deals disguised by legality. The instability it introduced, particularly at the municipal level, translated directly into governance uncertainty and lapses in service delivery. By the time floor crossing was

abolished in 2008/2009, the damage was already deep, revealing a political order willing to bend constitutional values and system design for the convenience of political parties. Its effect was to undermine the direct relationship between electoral outcomes and representative government through leverage and arbitrage, even if opportunistically and legally sanctioned, resulting in representative legislatures but unrepresentative (executives) governments, deepening a legitimacy deficit that began then and continues today.

The Second Decade of Democracy (2004–2013) focused on accelerating development by expanding access to basic services and rolling out government programmes in primary health, education, and welfare. This included efforts to accelerate economic growth and promote social inclusion. Concurrently, there were initiatives to restructure government institutions and processes to enhance performance and to recentre South Africa's position on the African continent. Although there was a shift towards accelerated service delivery and economic growth, under President Thabo Mbeki, the government prioritised macroeconomic stability, infrastructure development, and regional integration. However, the period also witnessed the entrenchment of technocratic governance and the centralisation of power in President Mbeki's office (Jacobs, 2002), accompanied by the marginalisation of dissenting voices within the governing ANC.

The middle of this period was marked by significant fallout and factionalism within the ANC. Though premised on ideological division, the factional split was as much about politics and policy as it was about personality, predation, and patronage (Fakir, 2007; Lodge, 2009). Critics argued that the ANC's internal democratic culture was weakening and that the state was becoming increasingly unresponsive to grassroots concerns (Jacobs, 2002). The adoption of neoliberal economic policies in the early 2000s, including privatisation, deregulation, and public-private partnerships, intensified these issues and further alienated segments of the population who felt excluded from the benefits of growth (Bond, 2014; Marais, 2001). South Africa remained blighted by high levels of social and contact crimes. The inception of empowerment policies and the intensification of economic development were undermined by the rise of neoliberal policies, particularly through the privatisation of municipal assets and utilities. In local government, public-private partnerships, the restructuring of state entities, and increased subcontracting and outsourcing of core government functions led to greater diversification of the economy but undermined development (Fakir, 2004). It also opened the space for tender rigging, price inflation on projects, and predatory behaviour in public procurement processes (Breakfast, 2014; Fakir & Sarakinsky, 2019). At the macro level, greater demutualisation and financialisation⁵ occurred in

⁵ Financialisation means increasing the role of financial motives, financial markets, financial actors, and financial institutions in the operation of the economy, representing a shift where assets and wealth are created more through financial channels (such as stock market profits, shares, interest and investment returns), rather than through industry, manufacturing, and production. Demutualisation is the process of converting mutual societies (such as housing and building societies, insurance companies, medical aids, and other cooperatives like banks) into for-profit public companies owned by shareholders. Both concepts became significant in South Africa after the end of apartheid, driven by neoliberal reforms and globalisation (Karwowski et al., 2018).

the economy, accompanied by the deregulation and privatisation of state entities in the services sector. Contradictorily, these policies undermined the impetus for redistribution that empowerment policies sought to engender (Bond, 2014; Cheru, 2001; Desai, 2007; Marais, 2001).

The 2009 general election marked a turning point in South African politics, as Jacob Zuma had unseated Thabo Mbeki in a bitter internal ANC battle for the presidency at the Polokwane Conference in late 2007. This led to further splits within the ANC, including the emergence of the Congress of the People (COPE), a breakaway faction formed following the Polokwane elective conference. This signalled growing fragmentation within the liberation movement (Booyesen, 2011); however, the ANC still secured another electoral victory, winning 65.9% of the vote in the 2009 national and provincial elections.

This period also witnessed an intensification of corruption scandals and an erosion of state capacity. The arms deal controversy, which had simmered since the early 2000s, resurfaced with renewed vigour, implicating senior government officials and undermining public trust in institutions. The Public Protector's reports on maladministration and the misuse of public funds, most notably the Nkandla scandal, further damaged the credibility of the ANC and the executive branch of government (Madonsela, 2014). They also had seriously negative implications for Parliament, its independent oversight role, and its probity regarding public institutions. Voter turnout began to decline during this period, dropping from 76.73% in 2004 to 77.3% in 2009 and then to 73.48% in 2014 (IEC, 2014). While these figures remained relatively high by global standards, they reflected growing disillusionment, particularly among young voters. Lekalake (2016) shows that Afrobarometer surveys from this period indicated steady declines in trust in Parliament, local government, and the police. Political representation also became more diverse during this period. The DA increased its electoral support somewhat and consolidated its organisational apparatus. Fragmentation within the ANC, however, continued.

The trajectory continued into the Third Decade of Democracy (2014–2024), with a renewed emphasis on strengthening state capacity, addressing persistent development gaps, and confronting shared global challenges. Unfortunately, this trajectory was disrupted by high level corruption and the erosion of state capacity, reversing many of the developmental gains of South Africa's democratic transition and its first two decades of democracy due to the intensification of corruption and the repurposing of state institutions (Bhorat et al., 2017; Dassah, 2018). Following Jacob Zuma's ascension to the presidency, the ANC as an organisation was dogged by escalating corruption and the personalisation of power. As Lodge (2014) argues,

such political habits have a long history within the ANC but were restricted during its years in exile and have begun to resurface now that the armed struggle is over. Second, it relates to the ANC's historical ties to criminal networks and thirdly, a reflection of broader tendencies within South African political and economic life.

Political factionalism and fractionalisation, where parties fragment into micro factions, each vying to exert influence or control over government processes or to undermine them – have hindered competitive policymaking, effective institutional oversight, and responsiveness (Fakir, 2021a). Rather than promoting these positive outcomes, such divisions have resulted in poor government performance (Fakir, 2007, 2009).

While the political transition was widely lauded as a success, there is an ongoing tension between the formal political liberation achieved in 1994 and the enduring struggle for comprehensive socio-economic transformation and development. Despite consistent government efforts to address socio-economic disparities, fundamental inequalities inherited from apartheid have proven remarkably resistant to change. This was further undermined by contradictory policy configurations, inappropriate policy instruments, widespread corruption, and high levels of crime and criminality – often with criminal networks embedding themselves in the state through government procurement, supply chains, contracting, and subcontracting systems (Shaw & Reitano, 2019). This has resulted in dysfunctional and compromised government performance.

The persistent challenge of translating political freedom into tangible improvements in the lived realities of all citizens has created a significant disjuncture. This underlying dynamic suggests that the success of South Africa's democratic project cannot be measured solely by the procedural integrity of its elections and its institutional and process architecture but must also account for the substantive delivery of socio-economic goods and services, as well as the pursuit of redistributive economic justice.

Political theorists have debated the relationship between formal democratic mechanisms and substantive inclusion. Lijphart (1999) emphasises the role of proportional systems in supporting pluralism, while Przeworski et al. (2000) argue that democracies must perform beyond elections to meet citizens' expectations. Southall (2018) suggests that democracy fatigue may be a real risk for South Africa, where electoral credibility might exist without meaningful political responsiveness, eroding government credibility and undermining the legitimacy required for authority to be effectively exercised through deriving consent rather than coercion.

Afrobarometer surveys show that while South Africans value democracy, they are sceptical of its delivery mechanisms, and deep levels of distrust in public institutions have taken root. The South African Reconciliation Barometer (Lefko-Everett, 2023) finds low and declining levels of confidence in key institutions of democratic government. Focus group (FG) participants expressed similar ambivalence. While most valued their right to vote, they questioned whether democratic processes yielded meaningful accountability or tangible benefits. As one participant stated,

everyone should have a voice and should be able to speak out and what they feel should be done within government and just everything in general. We vote but I don't think our voices are heard. You might say things, and even with open dialogue that's going on, I

don't think it will contribute to us in any way. Like, hey, we are talking about these things, but nothing is really being done [FG1, Part1, 15:13].

This qualitative evidence underscores that procedural trust persists alongside substantive disillusionment.

The Social Cohesion Index highlights deep racial mistrust, persistent economic divides, and declining levels of interpersonal trust, especially among young people (Dragolov & Boehnke, 2024). This suggests a disconnect between electoral participation and satisfaction with democracy. This is reflected in the generational divide observed in the focus groups, where older participants remain sentimentally tied to the ANC as “the party that liberated them”. As one participant noted,

I'm an old man. I talk to older people. And I hear that sentiment coming up most of the time. You know, we'll vote. We're not going to vote for somebody that we don't know. We're going to vote for people that we know and people that we have a history with. And that's what they do in most instances. And in that case, it disadvantages the young ones. That is why you see a lot of parties are mushrooming that wants to address the aspirations of the young ones because the older people, they are stagnant and rigid in their approach to the voting system because they believe they have been helped. And because I address a lot of people, I've been doing election observing for a very long time. But I've been asking this question and I feel the older people, they don't want to change their mindset regarding the system. And it creates a problem in the discourse between the young ones and the older people [FG1 Part2, 02:16-03:41].

Younger participants view politics instrumentally, demanding integrity and delivery rather than loyalty (FG1, Part2, 01:16–08:38). These contrasting attitudes illustrate how trust and legitimacy are mediated by age and socio-economic expectations.

While more than six in ten (63%) young Africans prefer democracy to any alternative form of government, they are disillusioned with how democracy currently functions in their countries. Fewer than four in ten (38%) said they are “fairly satisfied” or “very satisfied” with the way democracy works in their country (Mpako, 2025). This reveals an instrumental conception of democracy as performance-dependent legitimacy.

Poverty, inequality, and identity politics help shape electoral behaviour, often leading to disengagement or protest politics. Media investigations into ANC factionalism and its predatory and patronage politics raise questions about whether electoral outcomes strengthen institutional legitimacy or merely preserve elite power structures. Focus group data illustrates the practical experience of this dynamic. Participants frequently linked poor service delivery and unemployment to declining political engagement, with some identifying material deprivation as a justification for disengagement or for supporting populist alternatives (FG1, Part 1, 08:15–09:15). Such perspectives provide empirical depth to the macro-level correlation between socio-economic exclusion and political cynicism.

2 The Historical Trajectory of South Africa's Democratic Elections (1999–2024)

2.1 Foundations of the Electoral System: Party-List Proportional Representation

South Africa's electoral system has been central to its post-apartheid democratic governance architecture. The electoral system for the National Assembly and provincial legislatures is based on closed party-list proportional representation. This system ensures that political parties are represented in legislative bodies in proportion to their electoral support. It was established with the inaugural 1994 democratic elections and continued through the 1999 election, as stipulated by Schedule 2 of the Interim Constitution and later by the 1996 Final Constitution. It was designed to promote diversity, fairness, inclusivity, and proportionality in representation, ensuring that a wide range of political voices and views could be expressed in representative institutions and in the formation of government. Crucially, no legal threshold for representation applies. Despite repeated attempts, the system has undergone no structural reforms since 1994. Growing public dissatisfaction with the lack of political accountability, irresponsibility in the administration of power, lack of responsiveness, and ineffective representation has prompted renewed scrutiny of the system's design for national and provincial elections.

For local government and municipal elections, local councils are constituted through a mixed-member proportional representation system, combining direct ward or constituency elections with party-list representation. The total number of seats in a local council is halved, with one half filled through a proportional representation system across the entire municipality, and the other half by candidates who receive the most votes in their communities, using a constituency electoral approach based on the first-past-the-post principle. A candidate with the highest number of votes in a ward gets a seat on the municipal council as the community's duly elected representative for that ward. The candidate may belong to a party or be an independent. For candidates who belong to a party, the votes cast for them count towards the overall proportional tally of the party they represent.

Many hail the mixed local government system as balancing party-list proportional representation with a constituency approach. They claim that it has lessons for the national and provincial spheres of government. But this is only partially accurate. A ward system also allows candidates to contest elections as representatives of parties. This oddity does not end here. A vote for ward candidates who represent a party adds to the proportional tally of their party in allocating seats in the council. A ward system reinforces the party system. Its constituency disposition is a farce (Maserumule, 2023).

In any case, ward or constituency representatives in the local government system do not wield significant power or influence. Although they have voting rights in the council, they usually do not hold any executive portfolios, are frequently unrepresented on oversight committees, and are largely reduced to communication conduits between local government service units, service entities, utilities, and the ward or community they supposedly represent.

At all levels of government, the electoral system and the political governance system constituted by it, is entirely party, rather than voter centric (Fakir, 2021d). Evidence from focus groups suggests that this perception of systemic party dominance translates into cynicism about

political efficacy. Younger participants described their first voting experiences as symbolically meaningful but substantively limited, observing that “We vote for the best of the worst among dominant parties because smaller ones won’t make a difference” (FG1, Part 1, 22:51–23:25). Other participants echoed this institutional critique.

I think South Africa is turned into a party-political system where we don’t vote for the people we love, we vote for a party. And these people who are in power, they are pushing a party-political influence of things. That is the first thing that has disadvantaged us. And it’s so difficult for us to vote somebody out of position because it is not us who have impacted that person. It is a nomination from the party system ... I feel we are disadvantaged as the people in South Africa by our political formation or structure because it does not give us the legitimacy to choose the person you love or you think this person can deliver. I think that is where we are being failed by the system. In, in our country, we have failed because we cannot make, you know, a voluntary choice of a, an individual [FG1, Part 1, 16:28–17:45].

This qualitative evidence substantiates the argument that proportional representation, while inclusive in theory, entrenches elite control in practice.

2.2 Evolution of Electoral Legislation and Key Reforms

The legal framework governing South African elections has undergone significant developments since 1999. The Electoral Act of 1998 laid the foundational legal framework for subsequent elections. A notable period of potential reform emerged with the establishment of the Electoral Task Team (ETT) in May 2002, chaired by Dr Frederik van Zyl Slabbert. The ETT was mandated to draft new electoral legislation and engage with various stakeholders. Its majority view proposed a significant structural change to the electoral system: dividing the country into multimember constituencies. This proposal suggested that 300 of the 400 National Assembly members should be elected from closed constituency lists (ETT, 2003, pp. 22, 29, & 30), with the remaining 100 allocated from national lists to restore overall proportionality. The primary objective of this proposed amendment was to “increase individual accountability significantly” (ETT, 2003) by creating a mechanism whereby a candidate could be rejected without necessarily rejecting their party. However, the government implicitly adopted the minority view, which advocated for the system to remain unchanged, effectively preserving the existing proportional representation framework without the proposed constituency-based accountability element.

This decision, made early in the democratic era, represents a missed opportunity for enhanced accountability and responsiveness. By maintaining a purely party-list system, in which voters primarily choose a party rather than individual representatives, the direct link between a voter and their elected official remains weakened. This choice, while perhaps simplifying electoral administration, may have inadvertently contributed to declines in trust in political institutions and office-bearers, as well as to the diminished government response to public opinion, resulting in a subsequent loss of accountability observed in later years.

More recently, a significant legislative change occurred with the Electoral Amendment Act 1 of 2023. This Act was necessitated by a 2020 Constitutional Court ruling⁶ that declared Electoral Act 73 of 1998 unconstitutional for restricting contestation in national and provincial elections solely to political parties. The subsequent amendment enabled independent candidates to contest national and provincial seats for the first time in the 2024 elections. This reform introduced a new three-ballot system for national and provincial elections: one ballot for the provincial legislature, one for 200 regional seats (contested by parties and independent candidates), and one for 200 compensatory national list seats for political parties. Furthermore, a Constitutional Court ruling in December 2023 reduced the signature requirement for independent candidates from 15% of the previous election's quota to 1 000 signatures, easing their entry into the electoral arena.

2.3 Evolution of the Electoral System: From Proportional Representation to a Botched Model

Over nearly two decades, the pure proportional representation system has faced increasing criticism. A primary concern was the perceived dominance of political parties, which often led elected representatives to be seen as accountable primarily to their party leadership rather than directly to the public or to specific constituencies. This lack of direct public representation fuelled a sense that individual accountability was insufficient within the electoral framework and that the responsiveness of elected representatives and the government in general was lacking. Public opinion surveys, such as those conducted by the ETT (2003, p. 17), revealed that the majority of respondents (71%) believe candidates should originate from the areas they represent to enhance individual accountability. Contemporary preferences expressed by focus group participants strongly resonate with these historical reform arguments. They explicitly call for a shift towards individual accountability and advocate for a system where voters can “choose certain individuals who stand on integrity and the interests of citizens at heart rather than being constrained by party lists” (FG1, Part 1, 18:44–20:22), repeatedly underscoring the need for representatives who come from the areas they represent to strengthen accountability and trust. Such sentiments highlight a consistent, cross-temporal public desire for geographically proximate representation:

I don't think it's all about whether you are placed in a particular field because of your expertise ... I think it's about the attitude more than anything ... if we could look at not voting for a particular political party, but look for certain individuals who stand and those people will be knowing that they've got the integrity, they've got interest of the citizens at heart [FG1, Part 1, 18:39–19:10].

A significant shift in this electoral landscape was initiated by civil society organisations, notably the New Nation Movement. In 2020, they successfully challenged parts of the Electoral Act of 1998 before the Constitutional Court, arguing that the exclusion of independent candidates from national and provincial elections violated Section 19(3)(b) of the Constitution, which guarantees every adult citizen the right to stand for public office. The Constitutional Court concurred,

⁶ New Nation Movement NPC and Others v President of the Republic of South Africa and Others [2020] ZACC 11.

declaring the Act unconstitutional and mandating that Parliament amend it within 24 months to accommodate independent candidates.

In response to the court's ruling, the Minister of Home Affairs established the Ministerial Advisory Committee on Electoral Reform (MAC) in June 2020. MAC explored various options, including a mixed-member proportional system with single-member constituencies, similar to models in Germany and New Zealand, which would allow for direct individual representation alongside proportional party representation. Ultimately, the Electoral Amendment Act of 2023, which was signed into law in April 2023, adopted a modified system based on the MAC's minority report. This new act introduced individual candidates for half of the seats in the National Assembly and provincial legislatures, with the remaining seats allocated via proportional representation from closed party lists. The new act simply accommodated independent candidates within the current system without any fundamental changes, except for designating each province as a region or constituency and apportioning 200 of the 400 National Assembly seats to them. The number of seats available for contest in each province depends on its population size. The remaining 200 seats are compensatory and reserved for political parties to contest. Thus, each region or province counts as a multimember constituency, with independent candidates contesting the 200 regional seats alongside political parties. This means that the total votes for a party in a region determine the number of seats it holds. An independent candidate can occupy only one seat, even if they contest in multiple regions. In each region, political parties appear on the ballot as official parties and submit a list of candidates. Independent candidates appear as independents on the same ballot paper for the province or region.

In theory, this makes it appear as if independent candidates are competing against other candidates aligned with political parties for the designated number of seats in that region; however, in effect, independent candidates are competing against political parties. Independents in the region do not accumulate all the votes cast for them as political parties do. This gives rise to the absurdity and unfairness that if an independent candidate receives twice the number of votes required for a seat, they forfeit those additional votes. This does not apply to political parties, since in the proportional system, the additional votes they receive count towards their final overall tally, and they may even benefit from an additional undeserved seat based on the highest remainder method. It is anomalous that parties are competing against independents in the first place.

Despite significant legal and structural adjustments aimed at enhancing accountability and direct representation, the 2024 general elections revealed the limited impact of these reforms, largely because they did not improve the system's accountability and responsiveness. None of the sixteen independent candidates nominated for the provincial elections secured enough votes to meet the minimum quota for election. This outcome suggests that while the legal framework has evolved to permit greater individual participation, systemic factors (such as pitting independent candidates with fewer resources against party representatives backed by the bulk of resource support) militate against fair competition. The very idea of having an individual

independent candidate compete against a party is absurd to begin with. Focus group participants expressed scepticism that the limited reform, including independent candidates within the current electoral scheme, would meaningfully improve accountability. As participants noted,

A big theme is the idea that people want to work for a person as opposed to a party. But you can actually do that if you look at the local government elections, you can vote for a ward councillor, which is a person, they may be independent, they may be part of a party, but she was still voted for IBRAM to be councillor. And as from last year's election, you can actually vote for an individual. That was what the Constitutional Court ruled to allow independence. So, South Africans were given the choice and there were no independents who ran. There were even some high-profile people like Zaki Ahmed, the lady's name. We used to be, part of the EFF Youth League. And South Africans didn't vote for independence. So, we can talk about why it didn't happen. But the fact of the matter is in South Africa you can vote for an individual in both local governments, provincial governments, and national governments. And South Africans didn't. They still voted for parties [FG1, Part 1, 24:41–25:34].

We can't say those people are individual. They are placed there by their own political parties. So, it's for us to choose whether are you voting party A, B, or C ... it is still not an individual choice [FG1, Part 1, 25:41–26:07].

The fact that Parliament ratified the electoral system just a few weeks before the actual election imperilled not only the contestants but also the effective preparation for electoral logistics, management, and administration – almost jeopardising the entire electoral process. These factors, especially the cavalier attitude of the political parties in Parliament towards ratifying the system in good time, continued to impede the success of independent candidates and the overall electoral process.

The judicial-led electoral reforms, while a significant institutional response to demands for greater accountability, have yet to fundamentally alter the landscape of political representation in practice. This highlights a persistent tension between formal legal changes and the practical realities of political dynamics and voter behaviour. The 2023 amendments may be an interim arrangement, with further reforms anticipated from the Electoral Reform Consultation Panel, which was appointed to investigate options for additional reform. The nature, shape, and character of any future electoral system will determine the evolution of South Africans' political culture, depending on the configuration of the system and the types of political behaviour it incentivises and disincentivises.

Another critical legislative change affecting administrative routines was the Section 24A amendment, passed in March 2021. This amendment introduced a requirement for voters to notify the IEC in advance if they intend to vote at a station other than the one where they are registered. This change was made in response to media reports of double voting in the 2019 election. Its impact was substantial. In 2024, approximately 360 000 voters received Section 24A approval, a sharp decline from the nearly 1.9 million people who voted away from their registered stations in 2019. This legislative shift potentially disenfranchised around a million voters, contributing to confusion at polling stations (Mbete, 2024, p. 125).

3 Historical Overview of Democratic Elections (2000–2024)

South Africa's post-apartheid electoral history reflects a complex interplay between institutional consolidation, political dominance, and evolving public expectations. From the second democratic election in 1999 through the watershed 2024 general elections, the country has experienced both the entrenchment of electoral norms and the emergence of new democratic challenges. The election process reveals both strengths in procedural integrity and growing challenges in voter participation and political trust. Focus group participants acknowledged the procedural reliability of South African elections, while emphasising that regular elections do not automatically produce responsive governance:

We have elections, but I would say the government doesn't reach out because it should start from the ground. Locally, to get the information of like what are the needs of the community? Starting from the going up, then I would say it would make sense to say the community has the right to say so now by looking at the things that's why our government today is like this, because they don't reach out at the ground level, it affects the whole system, but they don't reach out to the ground level ... they don't know the needs of the community [FG1, Part1, 12:59–13:49].

This statement starkly illustrates the disconnect between institutional performance and the citizen experience.

3.1 The 1999–2009 Period: Institutional Consolidation and Dominant-Party Rule – Legacy Pitted Against Delivery and the Early Signs of Decline

The 2000 local government elections saw the ANC solidify its post-apartheid dominance at the municipal level. The ANC secured 59% of the national vote and gained control of five out of six metropolitan areas, with the DA notably winning Cape Town. This outcome reinforced the ANC's commanding position established in the 1999 national elections. However, emerging problems with voter turnout and electoral administration were observed. The transition to new municipal boundaries caused confusion in voter registration, particularly in rural areas where access to registration points was limited. This disproportionately affected Black South Africans living in informal settlements. Despite these challenges, the IEC was commended for managing a complex election with minimal violence, reinforcing South Africa's reputation for credible elections. However, voter turnout was notably lower (approximately 48%) compared to turnout in national elections.

The 2004 national elections marked a high point for the ANC, which garnered nearly 70% of the national vote (279 seats), enabling President Thabo Mbeki to serve a second term. The IEC (2004) declared the elections "free and fair" and that declaration was uncontested by political parties or observer groups – a testament to the country's growing electoral maturity. Voter turnout among registered voters was high at 76.7%. However, a subtle yet significant trend of voter abstention was observed, with only 56% of eligible voters participating. This suggests an early indication of disengagement among a segment of the electorate. There were no significant reports of voter intimidation or fraud. The ANC's dominance, with 69.7% of the vote, was seen as a reflection of voters' trust in its post-apartheid legacy.

Administratively, voter registration processes and polling station accessibility were greatly improved compared to previous elections, although some rural areas still faced logistical challenges.

In the 2006 local government elections, the ANC maintained its strong presence, although opposition parties such as the DA and the Inkatha Freedom Party (IFP) made some gains in by-elections. The overall voter turnout for the municipal elections was 48%.

The 2009 national elections represented a notable shift, as the ANC's support decreased to 65.90% (264 seats), resulting in the loss of its two-thirds supermajority in Parliament. This election saw Jacob Zuma ascend to the presidency amid internal party tensions that led to the formation of COPE, a breakaway party of former ANC members. Voter turnout among registered voters remained robust at 77.3%. Despite heightened political tensions caused by Jacob Zuma's candidacy and the formation of COPE as a splinter group from the ANC, the elections were peaceful and deemed credible. However, there were increased levels of intraparty violence both in the lead-up to and during the elections, stemming from a widespread climate of fear and suspicion within the ANC following COPE's formation.

Administratively, voter access challenges intensified during these elections, with long queues and malfunctioning voter management equipment and infrastructure reported, particularly in urban areas such as Johannesburg. However, these issues were not on a scale sufficient to undermine the overall electoral process. The decline in the ANC's voter share reflected early signs of increasing dissatisfaction with governance outcomes, such as rising poverty rates, more pronounced incidents of corruption, and significant service delivery failures. Observers viewed this trend as a warning sign for future elections. Focus group narratives highlighted that older "voters retain emotional loyalty to the ANC, viewing it as the party that liberated them from oppression".

You know, the old guard, the old guard automatically votes for what they perceive as an enemy before 1990. Even today, they are still channelled on voting for a party that is advocating to fight their enemy, which was apartheid ... Old people, they vote for the ANC, whether you like it or not, because they feel the ANC has liberated them from the enemy that was apartheid ... And that is where political party, more especially the ANC, plays with people's emotions and expectations because people believe, they still cling to that voting party ... even when this party is doing them down, they still vote for it because they have that sentimental attachment ... And it creates a problem and a discourse between the young ones and the older people [FG1, Part 2, 00:42–03:12].

This intergenerational divergence helps explain the ANC's enduring yet diminishing support. The lack of structural change and persistent poor service delivery is often mitigated by an enduring sense of political loyalty, particularly among older generations, which transcends immediate performance issues. This indicates that voting behaviour remains, in part, rooted in historical memory, starkly highlighting the divergence between an emergent, performance-dependent evaluation of legitimacy and a sentimental evaluation of legitimacy.

3.2 The 2009–2024 Period: From Dominance to Disruption – Fragmentation, Declining Dominance, Protest, Contestation and Coalition Government

The 2011 local government elections witnessed a significant increase in voter engagement, with a turnout of 57.6%, the highest for municipal elections since 1994. The ANC secured 62% of the overall vote, while the DA's support increased to 23.9%. The IEC (2011) praised these elections as “the most exciting and incident free”, signalling a maturing democratic electoral process at the local level. However, the elections highlighted persistent issues such as service delivery failures and corruption, which became focal points for voter discontent. The ANC retained its dominance, but the DA and other smaller parties gained significant ground, particularly in urban areas (Fakir & Holland, 2011).

In the 2014 national elections, the ANC's majority continued to decline, dropping to 62.1% (249 seats). Concurrently, the DA significantly increased its share of the vote to 22.2%, while the newly formed Economic Freedom Fighters (EFF) secured 6.4%, emerging as a new political force in South Africa. This development increased political competitiveness and the electorate's demand for accountability, while also highlighting the growing factional fragmentation within the ANC. This trend built on the momentum initiated by the formation of the United Democratic Movement, followed by COPE.

Voter turnout decreased to 73.48%. The new entrants to the political game introduced some electoral rational choice behaviour, which focus group participants framed as follows:

... based on the past there are parties that are favoured like the top three ... so if we vote for one of the lower ones, odds are it's not going to work. So, we would, instead of voting for what we want, we'd vote for like the best of the worst because we know the competition it's like between them. So instead of like not making our vote count [FG1, Part 1, 22:51–23:19].

This rational, strategic voting reinforces the persistence of dominant-party dynamics despite growing dissatisfaction with those parties. This trajectory is consistent with Paret's (2025) finding, based on a survey of 6 804 voters from Black working-class communities across three elections, that declining party identification has amplified the significance of performance assessments relative to long-standing party loyalties, resulting in greater uncertainty in electoral outcomes.

In 2014, the IEC was praised for its efficient election administration and management, and the elections were once again declared free and fair. Observers, however, noted increasing voter frustration with unemployment (25% nationally), service delivery problems, and weak economic performance. These were key drivers of decreased voter turnout, a slight loss of support for the ANC, and modest gains for opposition parties.

In contrast, the 2016 local government elections proved to be a watershed moment (Branson, 2016). The ANC experienced a substantial loss of support, dropping to just over 54% nationally from 62% in 2011. The elections were a watershed moment for a different reason too. As a greater plurality began to emerge, more and more “poorer people [were already starting to] withdraw

from the electoral process and voting-age people from the poorest deciles had stopped registering and/or voting in significant and growing numbers since 2004, and that the electorate increasingly comprises the better-off, which are trends that should be of concern for South African democracy [where] political pluralism at the expense of the poor seems to be a very high price to pay” (Everatt, 2016). The 2016 elections were particularly noteworthy for the rise of coalition politics. The ANC lost control of key metropolitan municipalities, including Johannesburg, Tshwane, and Nelson Mandela Bay, resulting in coalition governments led by the DA and supported by smaller parties, initially including the EFF. This shift indicated a significant change in voter behaviour, altering the political landscape and emphasising the need for effective governance and service delivery. The shift initiated a political trajectory characterised by increasing levels of protest, including rates and tax boycotts, withdrawal from the electoral process, and growing strategic litigation against the government regarding its performance on socio-economic policy. Voter turnout stood at 58.07%. Levels of political violence also intensified, especially within the ANC, over candidate selection processes for senior executive positions (Potgieter & Fakir, 2016).

Focus group participants also interpreted this period as a turning point, during which frustration with both national and local governance translated into alternative forms of political engagement.

I can, like, sit physically and I need something that I see, that will benefit me and I see, like, a protest happening and it benefits not just me but everyone around me, I'll most likely participate [FG1, Part 2, 26:32–27:42].

Several participants viewed protests as legitimate extensions of political voice when formal accountability mechanisms fail. This evolution corresponds with focus group narratives that not only described protest as a last resort to be heard by an unresponsive state but also as symptomatic of governance breakdown rather than participatory empowerment. Others criticised the destructiveness of violent protests in South Africa, underscoring ambivalence toward extra-institutional participation. As one set of narratives elaborated:

If as a country we were taught to do peaceful protests, because I feel like we all just are frustrated as a country, and we want our voices to be heard. The only way we know how to is social media, if not a physical protest. However, if there was more education within peaceful protest where there's no buildings that are being burnt down, where there's no injuries, where there's no killings or anything like that, I think it would be something that could work. I'm for protest, but peaceful protest, because I do agree that it does cost us in the long run [FG1, Part 2, 28:26 -29:23].

During the 2019 national elections, the ANC recorded its lowest national vote share since 1994, at 57.5% (230 seats), continuing its downwards trend. The DA secured 20.78% of the vote (84 seats), and the EFF gained 10.8% (44 seats). Despite being declared free, fair, and credible (Mapungubwe Institute for Strategic Reflection, 2019, p. 14), these elections were marked by a continued decline in voter turnout, reflecting voter disillusionment and disengagement from the electoral process rather than mere apathy. Key issues included corruption and state capture, increasing levels of unemployment, lacklustre economic growth, and rising poverty and

economic inequality. Despite these challenges, the elections were conducted peacefully and were deemed free and fair by observers. The aftermath of the elections saw greater fragmentation within the DA, during which time its key leaders (including Mmusi Maimane, Herman Mashaba, and Athol Trollip, among others), left to form other political parties such as Maimane's Build One South Africa and Mashaba's ActionSA, signalling further fragmentation within South Africa's key opposition party.

The 2021 local government elections were marked by unprecedented challenges due to the COVID-19 pandemic. Voter turnout reached a historic low, and the ANC experienced further losses, resulting in numerous hung councils; coalition governments became necessary in six of the eight metropolitan municipalities. The elections highlighted significant voter discontent with the ruling party and the political system overall. The ANC's support further plummeted to 45.59%, while the DA received 21.62% and the EFF 10.32%. Critically, less than half of registered voters cast their ballots, leading to a significant increase in coalition governments at the local level and raising concerns about the future of democratic participation.

Finally, the 2024 national elections represented an unprecedented moment in South Africa's post-apartheid history. For the first time, the ANC lost its parliamentary majority, securing only 40% of the vote. This outcome necessitated the formation of a ten-party coalition government called the Government of National Unity (GNU). While observers again declared the elections free and fair, they were characterised by a historically low voter turnout of 58% and increased voter disengagement, with the greatest despondency seemingly animating the youth. The emergence of the uMkhonto weSizwe (MK) Party, led by former ANC President Jacob Zuma, significantly reshaped the political landscape and contributed to the ANC's diminished support. This outcome signals a new era of more competitive and less predictable politics. Survey evidence shows that declining party identification has amplified the salience of performance assessments relative to long-standing party loyalties, generating growing uncertainty in electoral outcomes ahead (Paret, 2025).

3.3 Procedure Over Performance – the Beginnings of a Crisis of Credibility

This précis of electoral history shows a consistent decline in the ANC's electoral support and an overall decrease in voter turnout over this period. This is despite elections being consistently declared free and fair by observer missions and the fact that, until the 2019 national and 2021 local elections, all parties willingly accepted the results with few, if any, major disputes. The simultaneous alternations in power and declines in voter turnout point to growing disillusionment with the political establishment and the political process itself. This suggests a crisis of credibility in government – an emerging crisis of legitimacy in political authority – with substantive deficits in representation and responsiveness, where voters may no longer perceive their votes as effectively translating into improved governance or addressing pressing public policy and socio-economic concerns. The procedural integrity of elections, while important, appears insufficient to maintain public confidence in governance when the political system is

not perceived as delivering tangible benefits. To echo the sentiments expressed in the focus group responses:

Old people, they vote for the ANC, whether you like it or not, because they feel the ANC has liberated them from the enemy that was apartheid. And even when this party is doing them down, they still vote for it, because they have that sentimental reason [FG1, Part 2, 01:16–03:12].

This statement suggests that the sentimental attachment contrasts sharply with the lived realities of the electorate. There may be a delayed, but nevertheless determined, reckoning occurring in 2024, as manifested in the ANC's loss of its overall majority.

4 Political Violence, Electoral Conflict, Security and Policing

Trends in political violence, intimidation, and intolerance have not remained static; they have shifted, morphed, and recomposed themselves across the different phases of South Africa's democratic trajectory. In the early 1990s – during the transition, the negotiations, and the fragile First Decade of Democracy – political intolerance and violence were starkly interparty. The conflict between the ANC and the IFP shaped much of the landscape, producing no-go zones where certain parties simply could not campaign. This hostility, however, was neither anomalous nor entirely new. It was the residue of a political culture formed in the struggle against apartheid, where rivalry, even among liberation movements, tipped into coercion and violence.

However, by the early 2000s, the axis had begun to turn inwards. As the ANC's dominance grew, so did its internal fractures. Competition for office, once framed as a form of service, increasingly became linked to livelihood and economic opportunities through access to office, as well as resource flows from state contracts and connections to business networks. This increased the stakes of holding public office. By the time the ANC headed to Polokwane in 2007, factional contestation had sharpened to the point where fear, mistrust, and organisational paralysis gripped its political life. What should have been routine democratic deliberation hardened into defined camps, and intraparty violence and intimidation rose accordingly. Soon, the country found itself contending not only with interparty conflict but also with a simultaneous, more intricate web of intraparty battles that carried their own forms of threat and volatility.

For a period, political violence ceased to be primarily about ideological or organisational intolerance. It became, instead, an expression of economic competition – an often-desperate struggle over access to the material benefits attached to public office. In this phase, politics became a conduit for income rather than an ethic of service, and violence adapted to this logic.

As South Africa now inches its way out of the deep distortions caused by state capture, it would be mistaken to assume that corruption is in retreat. It has not. It has merely reconfigured itself into localised patronage formations, business syndicates, and informal networks that intersect with municipal governance through tendering, supply chains, and subcontracting processes. This is occurring amid a fragmented party system and intensifying electoral competition, where no actor can take dominance for granted. Within this unsettled terrain, the risks of violence – both

inter- and intraparty – remain stubbornly present. The targeted killings of whistleblowers, the silencing of political rivals, and coercion within party structures have become woven into our political reality.

Layered onto this is broader social volatility. Communities are protesting unresponsive leadership, chronic service delivery failures, and the erosion of state capacity. These eruptions sometimes spill over into the electoral arena, even when their origins lie elsewhere, and IEC infrastructure has not been immune to attacks during election periods.

Taken together, these dynamics reveal something deeper and more disquieting: violence, intimidation, and coercion have become entrenched features of the political and social order, blending into the broader landscape of criminality and interpersonal violence that characterises everyday life in South Africa. Violence has become a route for grievances to be politically recognised:

The way we do protest in South Africa was to dismantle the old system by destroying buildings and stuff, was just to make the old system ineffective. But when we got into the new dispensation, we carried the dead evil with us ... when you just march doing nothing, they don't take you serious. They will take you serious when you vandalise, when you do stuff it's when now they will exercise their power and authority. But when you are peaceful, they don't even look at you, you know. They don't have even a system of approach to a peaceful protest, you know [FG1, Part, 32:22–33:51].

While the 1990s trend of political intolerance and no-go areas has largely faded due to the success of the IEC's mechanisms (such as party liaison committees, conflict panels, and poll watchers) together with the elaborate regulatory architecture for transparency that has helped contain the worst forms of electoral violence, violence in general has increasingly been directed at individuals who threaten others' access to political office, or more precisely, the spoils that come with it.

This can occur within the same party or between rival parties, but it is clearly related to competition for access to political office as an economic activity or opportunity. Although the conflict is internecine and low intensity, it is continuous and generalised rather than episodic or isolated. As political office becomes increasingly embedded in economic opportunity, especially given poor economic performance and government dysfunction, violence in such situations is likely to increase, particularly where political contestants occupy precarious or insecure economic positions. When political office is so closely intertwined with economic opportunity, the insecurity of holding political office translates into economic insecurity.

Political hits frequently target local councillors in contested areas. The assassination of former ANC member Sifiso Nkabinde in January 1999, followed by the killing of eleven ANC supporters, set a tense tone for the 1999 national election, with former apartheid era paramilitary forces implicated in the violence. In the same year, twenty more people, including seven IFP leaders and six ANC leaders, were killed. Trends suggest that there are more political killings during local or municipal elections than during national elections, and that they predominantly occur in the pre-election period. This spike is attributed to fierce competition for local government positions

and access to municipal finances, which often intensifies during municipal elections, as changes in government control and access to contracts and procurement budgets are anticipated or averted through these elections.

4.1 Primary Issues and Causes of Conflict

The roots of election-related conflict and violence in South Africa are multifaceted, stemming from a complex interplay of political, socio-economic, and criminal factors. They centre on competition for resources and patronage, the intense power struggles and battles over patronage within political parties, particularly the ruling ANC, and the fierce competition for local government positions and access to municipal finances. This often forms part of a system of collaborative criminal governance in which local politicians and government administrators collude with criminal actors to eliminate rivals, viewing violence as a permissible tool to secure or maintain power and access to resources.

First, the people are fighting for positions ... We had to call all those politicians, irrespective of political parties, and say, "Come, let's lay hands on you, because you're killing each other for this position". So, what I'm saying is that people are fighting for positions, and some of this violence is not even ... You'll find that some of the candidates, you know, he was travelling to somewhere with a car, and the car just broke down and he died. It means somebody fiddled with that car. So, there is that silent also protest during the election process ... And also, the outcomes of the election, the literal voting anyway. Parties feel that particular parties should not have won the election. There has been some discrepancies or there has been some sabotage and all this. So, they fight for that as well. In other instances, you find that this particular party won the elections legitimately but still it's not acceptable because this particular party thinks that it is there till Jesus comes. So, I think those are things that it is lack of education as well. When 1994 dawned, you know, people thought that, you know, this is, we are there. We've reached where we want to. And people were not educated about this very same democracy, what democracy is all about. They opted for that democracy without understanding that it goes hand in hand with responsibility. That includes even the beneficiaries to that as well. That is why we find that even when we riot, we demolish our own properties. That will cause the very same government, our markets as well, to be able to rebuild and do whatever. Do you think it will be valuable? [FG1, Part 2, 37:55-40:39].

Socio-economic grievances are another driver of community protests, fuelled by deep-seated issues such as poverty, high unemployment, pervasive corruption, and unresponsive government. These frustrations frequently escalate into violence, especially in urban hotspot areas. These protests often become politicised, particularly around election time, as dissatisfaction with government performance and a lack of tangible improvements are used as excuses by competing factions within the ruling party or its opposition to dislodge the incumbent. Consequently, political elites manipulate vulnerable people into engaging in crime, violence, and thuggery by exploiting their pauperisation and frustration. Usually, inflammatory rhetoric and information manipulation, including the spread of fake news, deepfakes, and unsubstantiated claims of vote rigging, are increasingly used to incite violence and undermine public trust in the electoral process.

However, the pervasive everyday violence in South Africa, reflected in alarmingly high rates of crime (including murder, rape, hijackings, assaults, kidnappings, burglaries, and intimate partner violence) creates an environment where violence is normalised. This pervasive violence is deeply embedded in the country's socio-economic and cultural fabric. High unemployment, poverty, extreme inequality, easy access to firearms, organised criminal syndicates, underresourced and poor policing that often colludes with criminal elements, together with historical legacies of violence and frustration all combine to form a toxic mix. This creates a paradox where the country has been at peace since 1994, yet it experiences sustained everyday violence akin to a war zone. These realities directly and indirectly shape the security environment during elections. The unpredictable and inconsistent enforcement of the law spurs continued impunity, and this lack of accountability perpetuates the cycle of violence while further eroding public trust in the criminal justice system.

4.2 *The Evolution of Conflict Dynamics Across Key Election Cycles*

Since its first democratic elections in 1994, South Africa has largely cultivated a politically and socially peaceful electoral environment, underpinned by confidence in an orderly and well managed electoral process. However, this general peace masks the concerning trend of increasing targeted political violence and killings. The number of politically motivated assassinations has been steadily increasing since around 2010 (Matamba & Thobela, 2024).

The dynamics of election-related conflict in South Africa have evolved since 2000, reflecting changing political landscapes and persistent underlying vulnerabilities. The 2000 local elections were marked by service delivery protests and tensions over new municipal boundaries and the roles of traditional leadership, highlighting early challenges in local governance. While the 2004 general elections were generally peaceful, with relatively few major incidents of violence and intimidation, early signs of voter disengagement were a more prominent concern. However, the 2006 municipal elections saw an increase in protests primarily related to poor service delivery and municipal demarcations, with the shack dwellers' movement, Abahlali baseMjondolo, notably calling for a boycott of the elections.

During the late 2000s to the early 2010s, the 2009 national provincial elections saw clashes between rival political parties, such as the ANC and COPE, as well as targeted murders of individual political figures. However, overall violence levels were significantly lower than in the pre-1994 period. The 2011 local government elections were notable for significant youth disengagement, with many young South Africans reportedly opting to participate in violent street protests against local authorities rather than voting. Protests related to the Democratic Republic of the Congo elections also occurred in South Africa, highlighting regional political sensitivities.

During the mid-2010s, the 2014 national provincial elections experienced 76 incidents of election-related violence in the six months leading up to the poll. Incidents included clashes between party supporters and communities airing grievances, with IEC officials and registration stations becoming targets. A notable rise in xenophobic attacks also occurred in May and June

of that year, underscoring broader societal tensions. The 2016 municipal elections were marked by at least twenty political assassinations in the run-up, predominantly in KwaZulu-Natal, often linked to battles over patronage within the ruling party. This period further solidified KwaZulu-Natal's reputation as the epicentre of political violence, which prompted the establishment of the Moerane Commission of Enquiry into the Underlying Causes of the Murder of Politicians in KwaZulu-Natal (2018). The disturbing trend of increasing political assassinations and the consistent upwards trajectory of politically motivated violence suggest a deepening of underlying conflicts, often linked to intense local power struggles and control over resources. The Moerane Commission explicitly linked this violence to corruption, concluding that political parties "must take responsibility for the violent competition between their members for political positions", which is largely motivated by the desire to control state contracts. This connection reveals a critical vulnerability in South Africa's institutional integrity. Political office, particularly at the local level, has become a gateway to illicit economic opportunities, making electoral contests a high-stakes arena where lives are at risk. This form of violence, distinct from widespread civil unrest, directly subverts democratic accountability at the grassroots level by replacing legitimate political competition with criminal means for private gain.

From the late 2010s to the early 2020s (2019, 2021, and 2024), riots and protests took place. Following the 2019 general elections, xenophobic riots occurred in Durban, raising concerns about their connection to the political rhetoric of leaders. Service delivery protests continued to affect voter turnout in urban areas. Despite these incidents, overall stability prevailed. While not directly related to an election, the widespread unrest, violence, and looting in July 2021 followed former President Jacob Zuma's imprisonment for disobeying a summons to appear before the Zondo Commission of Inquiry into State Capture and for violating a Constitutional Court order to honour the summons. The 2021 violence highlighted the potential for large-scale civil disorder rooted in socio-economic grievances and the political instrumentalisation of personal grievance. This is a stark reminder of the fragility of the South African social order.

The Global Initiative Against Transnational Organized Crime recorded 131 targeted killings in South Africa in 2023, just ten fewer than in 2022. The 131 cases were grouped into four categories: related to organised crime (46 cases, or 35% of incidents); related to the minibus taxi industry (45 incidents, or 34%); political assassinations (31 incidents, or nearly 24%); and personal assassinations (9 incidents, or nearly 7%) (Matamba & Thobela, 2024).

South Africa has long struggled with high levels of violence, as evidenced by a per capita murder rate of 45 per 100 000 in 2022/2023, or approximately 70 murders a day (Matamba & Thobela, 2024, p. 8). Violence persists as a feature of the electoral landscape and "there are always spikes in political assassinations during election years" (Matamba & Thobela, 2024, p. 4). This is further compounded by a high degree of persistent everyday violence that subtly and overtly influences political and electoral contests, as well as commercial interests intertwined with political and governmental processes.

The 2024 general elections, despite pre-election threats of shutdowns, blockades, and anarchy, proceeded without large-scale violence. However, targeted political killings persisted, with ten hits documented in the first four months of 2024, 31 in 2023, and twelve councillors killed by election day. Information manipulation, including claims of vote rigging and deepfakes, was rampant. Operational glitches on election day caused tension but did not lead to widespread violence. The decline in violence post-election coincided with the end of power blackouts.

This historical analysis reveals the shifting nature of electoral violence and the underlying socio-economic and political vulnerabilities. There has been a clear evolution from the high-intensity, state-sponsored violence characteristic of the transition era (pre-1994, with residual effects in 1999) to a more localised, targeted, and often criminalised form of political violence in the post-2000 period. While large-scale disruption of national elections has been largely contained, the prevalence of political assassinations, particularly at the local level, and the routinised everyday violence indicate deeply entrenched social problems.

This suggests that the electoral process itself is not the primary trigger for widespread violence, but rather a context that exposes and exacerbates pre-existing socio-economic grievances and intraparty or interparty power struggles, often with criminal undertones and a high degree of impunity. Furthermore, the 2024 elections, while overall peaceful, still saw persistent targeted killings and the emergence of informational manipulation (misinformation, disinformation, and deepfakes) as significant new threat vectors, indicating an evolving landscape of electoral security challenges that requires adaptive responses. The coincidence of declining post-election violence with the end of power blackouts also hints at the complex interplay between operational issues and broader security conditions in shaping the electoral environment.

5 The Problem of Democratic Governance: Trust, Confidence, Conscience and Participation

Whereas elections typically signal hope and the possibility of renewal, either through reaffirming incumbents or ushering in new leadership, South Africa's 2024 national and provincial elections reflected deep public mistrust in any single political party. Instead of a mandate for one party to form government, the outcome revealed a fragmented electorate seeking collaboration and a new political reality beyond dominant-party government. The 2024 election turnout stood in stark contrast to the early post-1994 levels, reflecting a deepening disengagement from the electoral process.

The 58% turnout in the 2024 elections was a record low, underscoring concerns about systemic disengagement from the process due to consistently declining levels of confidence and trust in public institutions. Equally concerning is an Afrobarometer finding from 2021, which indicates that a substantial majority of South Africans are willing to forego regular elections – and, by extension, some aspects of democratic governance – if a non-elected government could deliver basic services such as safety, housing, and jobs (Moosa & Hofmeyr, 2021, p. 2).

Nearly half (46%) indicate they would be very willing to do so, with higher levels of support among younger and more educated respondents (Moosa & Hofmeyr, 2021, p. 13). Growing

disillusionment with democratic processes is driven by enduring issues such as poverty, unemployment, inequality, crime, poor service delivery, government corruption, and economic stagnation. The willingness to trade democratic elections for effective governance and the delivery of safety, jobs, housing, and basic services has been the majority view since 2006 (Moosa & Hofmeyr, 2021, p. 13). By the time the 2019 elections came around, the electorate signalled increasing mistrust in institutions, particularly in political parties. Mistrust was also generalised towards the democratic governance system. This trend was evident in the 2021 local government elections. Cumulatively, across all elections since 2014, levels of distrust have become widespread in the electoral process. An increasing voter abstention (Paret & Bekker, 2021; Schulz-Herzenberg, 2022) was also underpinned by the widespread perception that South Africa's electoral system of pure proportional representation incentivises contesting parties to remain internally focused on their own issues and factional battles, rather than on matters of public concern. Worse still, political parties are viewed as a source of social division and, during election years, as the main source of social division (Potgieter, 2017).

Organisationally, the 2021 local government election further entrenched the long-running trend of party system fragmentation. Fissures within both the ANC and the DA had already become discernible by the mid-2010s, reflecting deeper organisational incoherence and contested political identities (Fakir, 2014). In the case of the DA, these tensions crystallised into the formation of two splinter groups: ActionSA led by Herman Mashaba, former DA mayor of Johannesburg, and Build One South Africa, led by Mmusi Maimane. Their emergence followed an internal review of the DA's poor showing in the 2019 national elections, which attributed the party's declining performance to weaknesses in Mmusi Maimane's leadership and strategic orientation. The inquiry's conclusions precipitated Maimane's resignation and triggered the departure of several senior figures from the DA, underscoring the extent to which the party's internal contradictions had become institutionally destabilising.

The ANC's organisational trajectory in the democratic era has been marked by successive small ruptures that have generated a range of splinter formations. The earliest of these included the United Democratic Movement in 1997 and, later, the African Independent Congress in 2006, following a demarcation dispute centred around the Matatiele district in the Eastern Cape. This was reflective of emergent disaffection with the ANC's internal modes of leadership and governance. By 2013, this dynamic had deepened, producing the EFF after Julius Malema was expelled from the ANC. This breakaway signalled not merely an ideological divergence but a substantive contestation of the ANC's strategic and organisational coherence.

In the subsequent decade, this pattern became more pronounced. The establishment of the African Transformation Movement, the African Content Movement, and the African Congress for Transformation (formed in 2023 by expelled ANC secretary-general Ace Magashule) further illustrated the extent to which factional contestation had become structurally embedded within the ANC's organisational life. This drift ultimately culminated in the emergence of the MK Party

of Jacob Zuma, by far the most electorally consequential offshoot, whose rise underscored the depth of fragmentation within the party's support base.

Concurrently, the 2024 elections witnessed a proliferation of newly formed political entities and independent candidates, a development enabled by the Constitutional Court's ruling that the electoral system in use since 1994 was unconstitutional insofar as it excluded independents from contesting national and provincial elections. Notwithstanding this opportunity, the majority of new entrants failed to secure meaningful representation. Even those premised on narrowly defined or special interest constituencies achieved only marginal electoral traction, typically limited to one or two seats.

5.1 The Problem of Democratic Governance: Trust, Confidence, Conscience, and Compliance

South Africa does not suffer from a crisis of democracy per se; rather, it faces a crisis of democratic governance. The legitimacy of its democratic institutions is unquestionable, but their credibility is not. Political parties, the primary agents for aggregating and articulating societal interests, have become fragmented, factionalised, and increasingly detached from their social base. The consequence has been a widening crisis of political representation and institutional responsiveness. This finds specific articulation in campaigning intimacy – a governing distance dynamic that reinforces a promise-and-abandonment cycle, which focus group participants amplified:

... they say this thing that says during the campaigning time, our politician will walk with us, eat with us, do everything with us. So true. But after they, they've been inducted into the office, now you have to make an appointment to see that particular person who was eating with you. You have to still fire someone to that particular person. So, they feel like they are there, there to be used just to gain the power, and then after that they have been forgotten. Because they can spend a week or a month with a leaking water pipe and no one's ... is, is caring about that. So, the service delivery, it is really a big influence in terms of people in the informal settlement participating in electoral processes [FG2, Part 1, 22:20–23:10].

Public institutions are perceived as opaque, insulated, and only weakly accountable – a perception substantiated by steadily declining levels of trust throughout the political system. As the principal organisers of political contestation, parties fare particularly poorly. Trust in the governing ANC, which stood at 62% in 2006, has fallen to 27%; opposition parties have experienced a similar decline, from 29% to 24%. Even the IEC, long regarded as an institutional anchor of procedural integrity, has not been immune. The IEC's standing has been eroded by political denigration and episodic administrative and management lapses.

These developments signal a polycrisis of democratic governance, characterised by a convergence of organisational decay within parties, institutional attrition across the state, and a pervasive erosion of public confidence in institutions and processes. The cumulative effect has been to establish a political order whose democratic infrastructure remains intact but whose operational effectiveness has been weakened.

5.2 *The Triple Crisis*

This section examines the triple crisis facing democratic governance: the crises of credibility and legitimacy, representation and responsiveness, and conscience and consciousness.

South Africa is a thriving electoral democracy. The year 2024 marked the seventh national election since the 1994 transition to democracy. The country is also robust in the social practice of democracy as a set of norms: essential liberties are widely exercised, though sometimes abused; fundamental freedoms remain intact; socio-economic rights have been extended; and there is ample space for free political organisation and contestation. Political voice and political choice are freely exercised, with alternations in power at subnational levels, including local and provincial governments, and since 2024, a coalition government at the national level.

Protests occur regularly, and the government is frequently taken to court. There are, to be sure, some incipient problems in the practices of democracy and in the democratic space available. While South African democracy remains fundamentally robust, there are growing concerns about emerging threats to political freedom. One such issue is the limitation of political space, marked by an increasing clampdown on social movements and civil society actors. This has been accompanied by incidents of targeted assassinations and political violence aimed at silencing dissent and intimidating political opposition within the hitherto governing ANC, especially when whistleblowers expose corruption or when the interests of certain business syndicates involved in state procurement are threatened. The role of state intelligence and the security and justice cluster has increasingly been called into question due to the political, and even factional, roles it plays in the political sphere. It is here that the incipient problems of (un)democratic social practices intersect with issues of democratic governance.

Even if South Africa does not have a democracy problem, it does have a problem with democratic governance. The legitimacy of its democratic institutions is unquestionable, but their credibility is not. Since 1994, the promise of a responsive and representative government has been continually deferred, undermined by self-serving politics and the pursuit of power for patronage and predation. Political parties seem more interested in parochial concerns. Internally fixated, they appear obsessed with proximity to power rather than with addressing societal needs. This has led to a widespread crisis of representation and responsiveness, with public institutions perceived as insulated and unaccountable. This is evidenced by eroding levels of trust in political institutions over the past two decades – a trend shown by the Afrobarometer surveys; the 2023 Reconciliation Barometer report published by the Institute for Justice and Reconciliation (Lefko-Everett, 2023); and the Human Sciences Research Council's (HSRC, 2023) South African Attitudes Survey. These findings indicate that trust in core political institutions has plummeted since the mid-2000s. Satisfaction with democracy has more than halved, where 48% of South Africans reported being satisfied in the early 2000s, by 2022 that figure had declined to 22%. Meanwhile, confidence in the national government fell from 69% in 2004 to 23% in 2022; trust in Parliament declined from 65% to 21%; and trust in local government dropped from 48% to 25%.

(HSRC, 2023). These long-term trajectories reflect not only episodic scandals but also structural disillusionment with institutions and elites.

Figure 1.1 illustrates the levels of trust people had in various institutions in 2021.

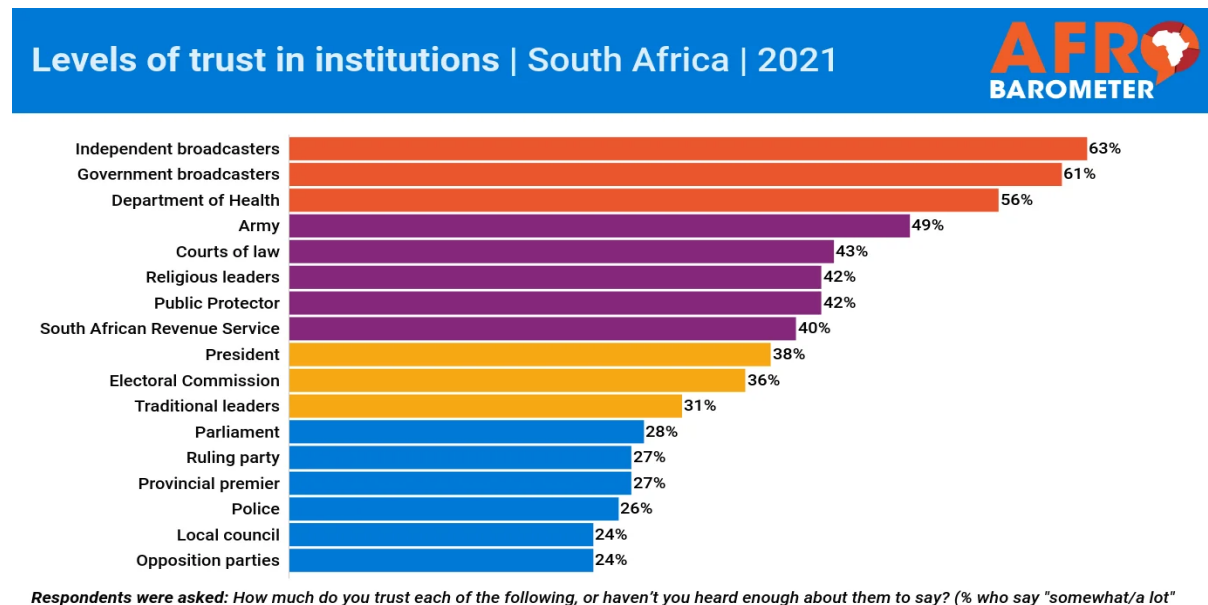


Figure 1.1: Levels of trust in institutions in South Africa in 2021

Source: Moosa and Hofmeyr (2021).

Table 1.1 presents data from the 2023 Reconciliation Barometer report on people's confidence in public institutions for selected years between 2017 and 2023 (Lefko-Everett, 2023).

Table 1.1: Confidence in select public institutions in South Africa (2017–2023)

Year	2017	2019	2021	2023
Parliament	31%	41%	40%	33%
National government	30%	42%	37%	32%
Local government	28%	34%	32%	30%
Constitutional Court	36%	40%	40%	38%
Legal system	32%	37%	36%	33%

Source: Lefko-Everett (2023, p. 14).

Declining trust in and disaffection with institutions signal a deeper crisis of representation and responsiveness. This crisis is accompanied by a crisis of conscience and consciousness,⁷ in which parties and political elites appear to lack a principled commitment to ideas and principles, leaving the electorate without a meaningful basis for political identification and orientation. At the level of political parties, organisational cohesion and ideological fidelity have weakened considerably. Leaders and members move between parties with unremarkable ease, reflecting the fragmentation and proliferation of political formations. These shifts signal not a strategic repositioning or political alignment, but a deeper erosion of belief, commitment, and discipline. The result is an ideological and programmatic vacuum in which political parties appear unanchored to coherent principles or beliefs, generating informality in decision-making, impunity in political behaviour and in the exercise of authority, and a breakdown of effective oversight and accountability mechanisms that are compromised. Responsiveness to social concerns is eroding, and developmental outcomes, especially those related to basic services at the local level, are deteriorating rapidly. Instead, transactional behaviour, opportunistic alliances, and short-term interests predominate. The erosion of political identity, affiliation, and imagination reflects a diminished capacity to see politics and government as spaces for long-term projects fostering development, but rather as merely tactical contests for power, authority, and the spoils of office. Electoral behaviour research further indicates that declining institutional trust has been accompanied by a shift in the basis of electoral decision-making. Using panel and repeated cross-sectional survey data from Black working-class communities, Paret (2025) finds that performance evaluations increasingly outweigh traditional party loyalties in shaping voting choices.

Within the proportional representation system, these organisational pathologies have manifested as internal discord within parties, leaving the electorate increasingly disillusioned with both democratic practices and the broader system of governance. Declining voter turnout is a direct reflection of this disaffection.

Crucially, these crises are mutually reinforcing, as the lack of principled political leadership and conscience intensifies citizens' disconnection from politics and government.

5.3 Diagnosing the Causal Dynamics: Fragmentation, Trust, and Turnout

At the heart of this crisis lies a dual, mutually reinforcing causal dynamic. On the one hand, party fragmentation and proliferation, shifting allegiances, and weak organisational cohesion erode trust in political parties. Disorganised, factional parties convey to voters a sense of instability and a lack of principle, undermining their credibility. In a party-centric system, this becomes generalised, leading to declining trust in institutions, since parties populate and animate those institutions. This weakens voters' motivation to participate, contributing to lower turnout, which

⁷ Several high-profile leaders have professed a set of beliefs and allegiances that they almost immediately repudiate should it not serve their short-term interests.

then constrains the authority and legitimacy of those elected. Thus, excessive fragmentation and proliferation cultivate distrust; distrust depresses participation, forming a feedback loop.

Such sustained erosion of trust offers a compelling explanation for the depressed voter turnout in the 2024 national elections. Reduced confidence in institutions weakens democratic participation, distorts representational dynamics, and further diminishes accountability, generating a self-reinforcing cycle of malaise and inertia.

This confluence of declining trust, fragmenting parties, and volatile electoral outcomes points to a polycrisis in democratic governance. Rather than a break with democracy, South Africa is grappling with a weakening democratic infrastructure, where formal institutions remain, but their capacity to mediate discordant demands, sustain responsible governance, and channel collective accountability has been substantially diminished. The crisis of conscience and consciousness undermines the political foundation of representation.

Focus group participants highlighted this crisis of representation and responsiveness, which directly embodies the breakdown in the accountability–oversight–responsiveness nexus:

I feel like majority of the things that they do are based on their own personal interest. I feel like when someone is put in a place of power, they might say that I'll do this and this and this and this. Just like when elections happen, when they are basically doing their rallies, they'll be like, we promise there'll be no load-shedding, there'll be this, and this, and this, and comes election day, we all vote or whatever. But the same things are still happening. There's no electricity, people are still [living in] poverty. So, I do feel like when people are put in a place of power, they don't prioritise the needs of citizens and what we actually need as a country. It's more of what they can get, what their family can get and their next friend or colleague or whatever. I don't feel like they prioritise. And I think we don't go back to what South Africa strives for. South Africa strive for democracy. That's what 1994 symbolised for South Africa. Democracy stated all about basically inclusion, where it's like you don't look at race, you don't look at anything, but everyone should have a voice and should be able to speak out and what they feel should be done within government and just everything in general. But I don't think our voices are heard. You might say things, and even with open dialogue that's going on, I don't think it will contribute us in any. But it's just to keep us silent as a country. Like, hey, we are talking about these things, but nothing is really being done [FG1, Part 1, 14:26–15:56].

A problem of lack of representation. I mean, it, it makes people very measure ... I think a lot, a lot of apathy on, in terms of lack of voting and participation is actually because people are looking at what comes out of the, um, the representative to, to serve to s-towards to, um, civic representatives, as we now want to change from politicians to those who are actually, um, the servants of society [FG2, Part 2, 02:32–06:04].

6 Participation and Voter Turnout

As shown in Table 1.2, the declining participation rates in national, provincial, and municipal and local elections clearly demonstrate a consistent downward trajectory.

Table 1.2: Participation and voter turnout in South African elections

Election year	Participation percentage	No. of participants
1999	89.3%	18 172 751
2000*	48.06%	8 882 734
2004	76.73%	20 674 929
2006*	48.4%	10 190 597
2009	77.3%	23 181 997
2011*	57.77%	13 664 914
2014	73.5%	25 388 082
2016*	58.07%	15 290 820
2019	65.34%	26 756 649
2021*	46.04%	12 064 192
2024	58.64%	16 227 015

Note: Years marked with an asterisk indicate that local government elections took place.

Voter turnout has exhibited a stark and concerning decline since 1999 (Table 1.3). This downward trend is evident whether turnout is measured as a proportion of registered voters or, more critically, as a percentage of the eligible voting-age population (EVAP). The latter provides a clearer indication of opting out, following diminishing trust and confidence in the electoral process and, by extension, in the broader political system. Although the number of registered voters has steadily increased, the percentage of those who cast ballots has dropped significantly, from a high of 79.2% in 2004 to a historic low of 58.6% in 2024. This decline reflects growing disillusionment among the electorate. Although the institutional mechanisms for political inclusion remain in place, perceptions of effective representation and responsiveness are weak. Young people, in particular, appear increasingly disengaged and perceive the electoral process as ineffective in producing tangible change.

Table 1.3: Voter turnout in South African national elections (1999–2024)

Year	No. of registered voters	Turnout as percentage of registered voters	EVAP	Turnout as percentage of EVAP	No. of non-voters (unregistered and registered but not voting)
1999	18 172 751	89.3%	N/A	72%	28% of EVAP
2004	20 674 926	76.7%	N/A	57%	N/A
2009	23 174 279	77.3%	N/A	60%	N/A
2014	25 390 130	73.5%	N/A	57%	N/A
2019	26 756 649	65.3%	N/A	49%	N/A
2024	27 782 477	58.6%	39 753 087	41%	59% of EVAP

Several interconnected factors contributed to the notably low turnout in 2024. Regulatory changes played a significant role. The amendment to Section 24A, which required voters to apply in advance if they intended to vote outside their registered polling station, had a substantial impact. Approximately one million fewer voters were approved to vote outside their designated polling stations in 2024 compared to 2019 (Mbeti, 2024). Limited public awareness and inadequate voter education about this change caused widespread confusion and resulted in many voters being turned away at polling stations. In addition, administrative challenges on election day contributed to long queues and operational inefficiencies. These challenges included malfunctioning voter management devices, delays in the delivery of election materials, and insufficiently trained electoral staff. In addition, the introduction of a third ballot further complicated the voting process. Delays in implementing the Electoral Amendment Act, along with successive court challenges, created legal and administrative uncertainty for the IEC, reducing the time available for adequate preparation and voter education.

Youth under the age of 30 were disproportionately underrepresented on the voters' roll in 2024, comprising less than one-fifth (18%) of total registrants. The lowest turnout rate, at just 45%, was recorded among 18–19-year-olds, marking a dramatic 35 percentage point decline from 2019. This pattern, often described as a trickle-up effect, suggests that while older adults tend to maintain consistent voting habits, younger cohorts are “learning the habit of not voting”. Such a generational shift could lead to even sharper declines in aggregate turnout in future elections, posing a significant risk to the long-term vitality of South Africa's democratic system.

Women continue to make up the majority of both registered voters (55%) and actual voters (58% in 2024), registering at higher rates than men across all age groups. Nonetheless, overall turnout declined in all provinces compared to 2019. The sharpest reduction occurred in Gauteng, where turnout dropped by ten percentage points. Provinces with large transient populations, including Gauteng and the Western Cape, were particularly affected by the Section 24A amendment, which likely contributed to their more pronounced declines.

A widespread sense of disillusionment with the democratic process has become a central driver of voter abstention, rather than this being attributable merely to apathy. Exceptionally high youth unemployment (exceeding 50% among individuals aged 15–34) and limited economic opportunities are strongly associated with youth alienation and low participation. Many young South Africans cite poor government performance in addressing poverty, unemployment, and corruption as the primary reasons for not voting. This sentiment is part of a broader dissatisfaction with the government, arising from persistent poverty, inequality, crime, and governance failures that have contributed to an increasingly pessimistic national political mood. A general decline in trust in political institutions and office-bearers further deepens this disengagement. The decline in voter turnout has been accompanied by significant voter fluidity. An analysis of five metropolitan municipalities shows that approximately 47.4% of voters either switched parties between elections or voted in one election and abstained in another, indicating significant instability in partisan attachment (Paret & Bekker, 2021). Loyalty rates between the 2016 and 2021 local elections were below 50% for ANC voters and only modestly higher for DA voters, suggesting that electoral support has become increasingly contingent rather than durable (Paret & Bekker, 2021). This evidence supports the interpretation that abstention has become an active political choice rather than merely a product of disengagement. Schulz-Herzenberg (2022) similarly argues that the 2021 local elections reflected growing disaffection with parties and representative institutions.

The sustained erosion of voter turnout is not merely a procedural or administrative issue. It is rooted in profound socio-economic conditions. For many young South Africans, political agency expressed through voting holds limited significance when it fails to translate into economic agency, particularly the capacity to shape material circumstances with less dependence on the state. This reflects a broader disjuncture between the promise of political liberation and the socio-economic development and advancement of a significant portion of the population.

As political elites are increasingly elected by a smaller and potentially unrepresentative portion of the eligible population, there is a heightened risk that policy decisions will reflect only the preferences of active voters rather than those of the broader citizenry. Consequently, while improvements and innovations in electoral administration (such as online or automatic voter registration, potential experimentation with e-voting, and increased voter outreach and education) can enhance convenience, they are insufficient to resolve the underlying causes of declining turnout unless the deeper structural challenges of poverty, inequality, and waning institutional trust are also addressed.

This raises the question of whether there is an objective basis for the widely held negative perceptions of government and public institutions, which, as has been argued so far, contribute to lower voter participation.

The following sections evaluate government performance across key indicators to assess this claim.

7 Socio-Economic Indicators: 2000–2024

Socio-economic trends, policy impacts, and racial disparities in South Africa over the past two decades reflect the interplay between the country's apartheid legacy, government policy interventions, and global economic dynamics. This section examines key indicators such as the Gini coefficient, poverty and unemployment rates, average household income, access to basic services, health outcomes and life expectancy. It analyses trends from 2000 to 2024, considering the influence of politics, policies, and the persistence of racial disparities.

7.1 Poverty, Inequality, and Unemployment

It is not possible to disaggregate inequality in South Africa by race from 2000 to 2025 due to the lack of consistently collected and publicly available data. Official statistics and academic studies often provide data for specific years or time periods, rather than as a continuous, annual series of indicators. However, a general overview suggests that from 2000 to 2024, South Africa's overall Gini coefficient decreased from 0.68 to 0.62, suggesting a slight reduction in income inequality. Between 2006 and 2015, the overall Gini coefficient fell from 0.72 to 0.67, as shown in Table 1.4. However, racial disaggregation reveals divergent patterns. Inequality among Black Africans increased from 0.60 to 0.63, while it decreased among White people from 0.49 to 0.45. This indicates a growing income divide within the Black African population, driven by the emergence of a small, affluent Black elite alongside widespread poverty.

Table 1.4: South Africa's Gini coefficient by race (2006–2015)

Year	Overall	Black	Coloured	Indian/Asian	White
2006	0.72	0.60	0.59	0.56	0.49
2009	0.70	0.65	0.57	0.52	0.47
2011	0.69	0.63	0.58	0.49	0.43
2015	0.67	0.63	0.57	0.53	0.45

Source: Shahaboonin et al. (2023, p. 105).

World Bank data from 2000 shows that the overall Gini coefficient stood at 0.68 in 2000 and has deteriorated to 0.63 for 2024 (World Population Review, n.d.). Note that race-disaggregated data beyond 2015 is quite limited and inferred.

Policies such as affirmative action, employment equity, affirmative procurement, and Black economic empowerment, which was introduced in 2003, aimed to redistribute wealth, income, and opportunities to historically disadvantaged groups. While affirmative action and employment equity were successful in cultivating a professional, technical, and managerial occupational class among Black South Africans and diversifying public service and private sector workplaces, they have had only a modest degree of success in creating income streams, if not major wealth accumulation, for many previously disadvantaged groups.

Black economic empowerment has been less successful in facilitating the growth of the Black middle class. Studies suggest that it has disproportionately benefited a small group, widening intraracial inequality among Black Africans (Leibbrandt et al., 2010). Broader economic policies, such as tax reforms, social grants and welfare transfers, indigence policies, and free basic services, have helped reduce absolute poverty but have had limited success in stimulating faster development and reducing overall inequality due to persistent structural barriers like low job creation and insufficient levels of investment. Black Africans experience greater inequality within their group compared to other racial groups, reflecting limited trickle-down benefits from economic growth. The lower Gini coefficient among White people indicates a more even income distribution within this group, reflecting the legacy of historical privilege.

Despite policy efforts, South Africa remains one of the most unequal societies globally, with race as a key determinant of income disparity. A 2024 report from Statistics South Africa (Stats SA) highlights that the typical income of White South Africans is nearly three times higher than that of Black South Africans, and the wealth gap in South Africa is even greater than the income gap. The top 10% of the population holds approximately 95% of the total wealth, while the typical Black household owns only about 5% of the wealth held by a typical White household. The bottom 50% of the South African population have a negative net wealth position, meaning their liabilities exceed their assets.

Overall, South Africa is characterised by extreme economic inequality, with a Gini coefficient of around 0.67 for income and between 0.9 and 0.95 for wealth. The top 10% of earners have seen their share of income increase rapidly since the end of apartheid, indicating growing inequality.

Provinces with the lowest expenditures are all those that had a high concentration of homelands during apartheid. This confirms that spatial inequalities created by apartheid spatial policies, such as the Natives Land Act of 1913 and the Bantu Homeland Citizenship Act of 1970, have lasting repercussions persist to this day.

7.2 Poverty Rates

Table 1.5 presents South Africa's poverty rates, expressed as the percentage of the population living below the upper-bound poverty line.

Table 1.5: South Africa's poverty rates (2000–2024)

Year	Overall	Black	White	Coloured	Indian/Asian
2000	58.0	62.0	5.0	40.0	15.0
2006	55.0	59.0	4.0	38.0	12.0
2011	53.0	56.0	3.5	36.0	10.0
2015	55.3	58.0	3.0	37.0	9.0
2020	56.0	59.0	2.5	38.0	8.0
2024	55.5	58.5	2.0	37.5	7.5

Source: Stats SA (2021, 2024a, 2025).

The overall poverty rate declined from 58.0% in 2000 to 53.0% in 2011, but then rose to 55.5% by 2024. This reversal reflects changes in the structure of the economy, low investment rates, and lost funds due to maladministration and malfeasance. This was worsened by the 2008 financial crisis and the COVID-19 pandemic, which also acted as structurally disruptive agents to progressive anti-poverty policies.

Black Africans consistently face the highest rates of poverty (58.5% in 2024), while White people have the lowest (2.0%). Social grants and welfare transfers, such as the Child Support Grant (expanded since 1998), Old Age Pension, Indigence Grant, free basic service allocations, no-fee schools, free primary healthcare services, school feeding programmes, and subsidised scholar transport schemes, have all served to reduce the severity of absolute poverty, particularly among children and the elderly. A Southern Africa Labour and Development Research Unit report estimates that grants lifted millions above the lower-bound poverty line (Levy et al., 2014). However, the lack of sustainable job creation has limited long-term poverty reduction. The temporary Social Relief of Distress Grant introduced during COVID-19 provided short-term relief but did not address structural poverty. The poverty rate for Black Africans is nearly 30 times that of White people, a gap rooted in apartheid era dispossession and exclusion, as well as limited access to education and employment. While poverty has decreased slightly across all groups, the disparity underscores the need for policies that target systemic inequalities.

Poverty and race have a positive correlation, indicating that race influences poverty status to a certain degree. This is supported by the fact that the majority of people living in poverty in South Africa are people of colour (Shahaboonin et al., 2023, pp. 102–111). Additionally, race and employment have a weak positive correlation of 0.070, suggesting that race also affects employment. Poverty and employment also have a strong negative correlation, implying that a vast majority of the poor are unemployed (Shahaboonin et al., 2023, p. 110).

The inequality in South Africa can be traced back to apartheid policies, which enforced spatial divisions based on race (Hartzenberg, 2005).

These inequalities have widespread and lasting effects. After discussing the origins of these inequalities, the current and recent trends were analysed. Unfortunately, in the past 25 years, no significant decreases in inequalities have occurred. A change in trends can only be achieved through concentrated, deliberate efforts, such as those outlined by the National Democratic Revolution and the Freedom Charter, which are predominantly socialistic. The deep-seated inequalities and poverty issues need to be addressed using more socially oriented policies and targets, rather than focusing solely on pursuing gross domestic product (Shahaboonin et al., 2023, p. 110).

7.3 Unemployment Rates

Table 1.6 presents the unemployment rates in South Africa from 2000 to 2024, expressed as a percentage of the population. Unemployment rose from 25.0% in 2000 to 33.0% in 2024, driven by slow economic growth; low levels of investment; high levels of corruption; unauthorised, irregular, fruitless, and wasteful expenditure in the public sector; and low returns on public investment in policing and security, health, and education. Deindustrialisation and external

shocks, such as the global food, fuel, and financial crises of 2008 and the COVID-19 pandemic, worsened the situation. Black Africans face the highest unemployment rate (36.0% in 2024), while White people have the lowest (7.0%). Youth unemployment exceeds 50% for those under 25, amplifying these trends. Policies and government programmes, such as the Expanded Public Works Programme and Youth Employment Service, have created temporary jobs, but their scale and duration limit their impact. Education reforms have been slow to address skills mismatches, leaving many Black Africans unprepared for a rapidly restructuring labour market that is increasingly driven by technology and automation. Minimum wage laws, introduced in 2019, aimed to improve earnings but have not addressed significant structural unemployment.

Table 1.6: South Africa's unemployment rates (2000–2024)

Year	Overall	Black	White	Coloured	Indian/Asian
2000	25.0	28.0	6.0	20.0	12.0
2006	24.0	27.0	5.5	19.0	11.0
2011	25.0	28.0	5.0	20.0	10.0
2015	26.0	29.0	4.5	21.0	9.0
2020	30.0	33.0	6.0	23.0	10.0
2024	33.0	36.0	7.0	25.0	11.0

Source: Stats SA (2019, p. 58, 2024c).

Black Africans experience unemployment rates more than five times higher than those of White people, reflecting disparities in education, skills, and access to networks. These gaps highlight the need for targeted job creation in sectors accessible to historically disadvantaged groups.

Population group is one demographic factor that matters a lot, with Black Africans being the most disadvantaged in finding employment, and earning substantially less when they are employed, relative to their White counterparts. Sex matters too, with women being less likely to have a job and earning on average substantially less than men, conditional on being employed. Finally, geography plays a big role too, whereby those living in rural areas are less likely to have formal sector employment and are more likely to earn lower wages when they do find employment (Stats SA, 2019).

7.4 Average Annual Household Income

Table 1.7 presents the average South African household income in rands for 2023.

Table 1.7: Average annual household income in South Africa (2023)

Year	Overall	Black	White	Coloured	Indian/Asian
2023	204 359	143 632	676 375	260 816	417 431

Source: Stats SA (2023b, 2025).

White-headed households earned the highest income followed by Indian/Asian-headed households, Coloured-headed households and lastly, Black African-headed households. The average household income of White-headed households was almost five times higher than that of Black African-headed households and almost three times higher than the average household income of Coloured-headed households (Stats SA, 2023b).

Employment equity, affirmative action, and other positive policy measures may have increased Black representation in higher-paying occupational roles; however, their reach has been limited. Social grants have supplemented the incomes of low-earning households, but wealth remains concentrated among a small elite – both Black and White – sustaining income gaps.

The income disparity between Black and White South Africans stems from historical wealth accumulation, educational differences, a legacy of unequal access to basic services, proximity to places of work, and the fact that many White people were spatially located in comparatively well-developed South African cities or rural areas with better facilities and good transport connections. Most Black South Africans were deprived of access to these amenities and lived either in undeveloped, distant townships or in the hinterlands of the underresourced and underdeveloped Bantustans created by apartheid. Preferential access to education and skills development, together with job market access, further enhanced White South Africans' prospects. Progress in narrowing this gap has been slow, necessitating more aggressive redistributive measures. African youth are considerably more likely than their elders to be out of work and actively seeking a job. About four in ten (42%) are out of work and looking for a job, while nearly one in three (29%) are out of work but have stopped looking for employment. Aside from their country's general economic situation and scarcity of jobs, nearly half of young Africans (45%) cite a lack of adequate training or preparation (26%) and a lack of experience required by employers (19%) as their most important barriers to employment (Mpako & Ndoma, 2025).

7.5 Access to Basic Services

As shown in Table 1.8, South Africans' access to water, electricity, and sanitation has improved, yet disparities still persist. The data is presented as the percentage of the population with access. Access to electricity increased from 70.2% in 2000 to 94.7% in 2023, with similar improvements in access to water (from 68.8% to 84.0%) and sanitation (from 51.9% to 70.8%). Black Africans lag behind in terms of water access, at 78.5% in 2023, compared to 99.4% for White people. The RDP, the Integrated National Electrification Programme, and the Basic Services Roll-out Programme have all contributed to expanding service delivery. The challenges faced in remote rural areas and informal settlements, where many Black Africans reside, hinder progress. These service gaps reflect apartheid era spatial planning practices, which left Black Africans disproportionately living in underresourced areas.

Table 1.8: South Africans with access to basic services (2000–2024)

Basic service	Population group	Baseline 2001 (percentage)	2022/2023 (percentage)	Change (percentage)
Piped water (on-site/ in dwelling)	Black	61.5	78.5	+17.0
	Coloured	88.4	94.8	+6.4
	Indian	98.2	99.1	+0.9
	White	98.9	99.4	+0.5
	National Total	68.8	82.4	+13.6
Electricity (mains connection)	Black	63.2	93.4	+30.2
	Coloured	88.1	96.5	+8.4
	Indian	98.8	99.5	+0.7
	White	99.2	99.6	+0.4
	National Total	70.2	94.7	+24.5
Sanitation (flush/chemical toilet)	Black	39.8	65.8	+26
	Coloured	83.1	92.3	+9.2
	Indian	97.5	99.2	+1.7
	White	98.7	99.4	+0.7
	National Total	51.9	70.8	+18.9

Source: Composite data derived from Stats SA (2003, 2023a, 2024b).

7.6 Health Outcomes Measured in the Infant Mortality Rate and Life Expectancy

7.6.1 Infant Mortality Rate

Table 1.9 shows the infant mortality rate per 1 000 live births for each population group in the years 1998, 2011, 2016, and 2022. The infant mortality rate declined from 45.4 in 1998 to 24.3 in 2022, reflecting significant improvements in healthcare. The expansion of primary healthcare through a network of primary care clinics, supported by secondary and tertiary (academic and research) hospitals, has lowered infant mortality rates. This improvement has been strengthened by the roll-out of free National Health Insurance pilot sites. However, mismanagement in public sector clinics and hospitals, combined with the outsourcing and subcontracting of nursing, cleaning, catering, and facilities staff, has hindered improvements in healthcare. The fourfold higher infant mortality rate among Black Africans highlights the unequal access to healthcare driven by poverty and rural-urban divides, as many White South Africans have better access to and can afford private medical care.

Table 1.9: South Africa's infant mortality rate (1998–2022)

Year/Source	Overall	Black	White	Coloured	Indian/ Asian
1998 (South Africa Demographic and Health Survey)*	45.4	47.0	11.4	18.8	14.0
2011 (Census)†	35.0	38.2	10.8	22.0	15.9
2016 (South Africa Demographic and Health Survey)‡	35.0	37.0	[1]	25.0	[1]
2022 (Census)§	24.3	[2]	[2]	[2]	[2]

Source: *Department of Health et al. (2002); †Department of Health et al. (2019); ‡Stats SA (2016); §Stats SA (2023a).

Note: The [1]s reflect that, in the 2016 measure derived from the South Africa Demographic and Health Survey 2016, a national infant mortality rate of 35 was recorded (Stats SA, 2016, p. 19). However, the sample sizes for the Indian/Asian and White population groups were statistically insufficient to provide a reliable, independent infant mortality rate in that specific report. The [2]s in Census 2022 reflect that, while the 2022 Census provided a national estimate of 24.3, Stats SA and independent reviewers from the University of Cape Town Children's Institute noted that the mortality data by population group from this census was deemed unreliable for public release due to reporting inconsistencies (Stats SA, 2023a).

7.6.2 Life Expectancy

Table 1.10 shows the life expectancy in years for each population group from 2000 to 2024.

Table 1.10: Life expectancy of South Africans (2000–2024)

Year	Overall	Black	White	Coloured	Indian/Asian
2000	57.0	55.0	70.0	62.0	65.0
2006	54.0	52.0	71.0	60.0	64.0
2011	60.0	58.0	72.0	63.0	66.0
2015	62.0	60.0	73.0	65.0	68.0
2020	64.0	62.0	74.0	66.0	69.0
2024	65.0	63.0	75.0	67.0	70.0

Source: World Bank (2024).

Life expectancy dropped to 54.0 in 2006 due to HIV/AIDS but recovered to 65.0 by 2024. White people (75.0 years) outlive Black Africans (63.0 years) by 12 years. Since the mid-2000s, antiretroviral therapy has reversed the impact of HIV/AIDS, but gaps in rural healthcare continue to hinder progress for Black Africans.

The life expectancy gap reflects disparities in living conditions and access to healthcare, necessitating targeted interventions.

8 Solidarity or Cohesion?

Social cohesion is often understood as a unifying force that binds societies together, fostering unity, a sense of belonging, trust, and mutual respect. In South Africa, this idea has become central to narratives of democratic consolidation, particularly during elections, which are frequently portrayed as symbolic moments that reaffirm unity. This idea is misplaced for two reasons. First, the idea that democracy can be consolidated is a misnomer, since democracy, as a practice of human endeavour and a form of politics, is perpetually contested and in flux. The second misnomer is the assumption that elections can, or naturally do, generate cohesion. Elections are inherently competitive, structured around disagreement and contestation, and their formal stability cannot resolve the deeper antagonisms and structural tensions that persist in society. Electoral processes can symbolically close off conflict while leaving the underlying sources of social antagonism (such as inequality, exclusion, and unresolved historical grievances) intact (Barolsky, 2010).

This tension is evident in contemporary indicators of social integration. Dragolov and Boehnke (2024) indicate that an overall moderately high level of social cohesion (53.3 index points), exists but this aggregate figure masks serious concerns in several critical areas. Specifically, the index reveals a steady decline in:

- Acceptance of diversity: Dropped from 47.1 index points in 2021 to 46.8 in 2024.
- Trust in institutions: Declined from 50.1 to 47.9.
- Perceptions of fairness: Decreased from 42.4 to 42.7.
- Respect for social rules: Experienced the most significant decline, dropping from 40.3 to an alarming 36.6 index points.

The South African Reconciliation Barometer identifies economic inequality as the primary driver of social fragmentation (Lefko-Everett, 2025). The inequality gap is identified as the country's main source of division and the greatest barrier to reconciliation. The data shows that 54% of South Africans reported frequently going without a cash income over the past year, and 25% frequently experienced food insecurity. Black South Africans continue to experience significantly greater deprivation than White South Africans, reinforcing historical structural divisions. South Africa faces the paradox of a large number of people across identity cleavages identifying 'being South African' as central to their core identity and believing that a united country is both desirable and achievable. Despite this desire for a strong national identity, trust between different racial and language groups remains low. Social relationships and frequent interactions across racial lines remain concentrated primarily among affluent urban groups, suggesting that both spatial and economic apartheid still dictate social circles (Lefko-Everett, 2025, pp. 25–32).

These patterns reflect the complex ways in which social relations are shaped by material inequalities, institutional failures, and unresolved historical tensions. Appeals to unity and cohesion frequently rely on expectations of consensus on issues, shared values, and harmonious coexistence, while ignoring the structural realities of division in society based on

inequality, unemployment, super-exploitation, exclusion, marginalisation, as well as uneven, differential, and differentiated access to state resources. Under such conditions, interpreting conflict or dissent as a deficit in, or as low levels of, social cohesion risks obscuring the roots of social divisions and extreme social cleavages. Post-apartheid discourses of social cohesion often prioritise unity in diversity, harmony, and togetherness, while neglecting the sources of inequality and discontent that drive social contestation, class antagonisms, and racial cleavages.

... that's the whole point of, of and there's nothing wrong with that, is that you have an identity, a racial, a gender, a religious, a class identity. And the whole point of voting is voting for a party that you will think will advance your economic, social standing in society. So, definitely those kinds of things will affect what you vote for. For some people, obviously the, the balance would differ. Some people have more of a class. A class, you know, or some people be their gender or their race will influence more who they vote for or their ideology. But voting is about identity because at its core voting is about trust. Can I trust this person? And the truth of the matter is that we are more likely to trust somebody if they look like you, if they speak like you, if they're from the same community as you. History is also quite important. If this party is for me before you are more likely to give them the benefit of the doubt versus another party that is ready to be new or has not historically voted for you. So, there's a whole lot of things. So, class definitely does influence me about so your identity but that's how it should be because that's the whole point [FGFG1, Part 1, 01:18:16-01:19:37].

Though forms of solidarity exist, they do not always manifest in ways captured by formal indices. In many communities, collective effort and social order emerge through informal networks and everyday interactions, often outside or alongside state institutions. These forms of locally grounded solidarity often coexist with coercion and conflict (Barolsky, 2016), reflecting the realities of life in contexts marked by insecurity, weak government and limited redistribution. Cohesion and contestation, therefore, exist in dialectical tension rather than merely as opposites, showing that social relations in difficult environments are maintained through continuous negotiation.

The political conditions preceding the 2024 elections further reveal this dynamic. Years of economic stagnation, chronic unemployment, government weakness, failures in basic services, and pervasive corruption have cumulatively produced deep cynicism and a widespread erosion of trust in institutions. In electoral terms, a recent analysis of the 2024 national and provincial elections cautions against treating identity solidarities as the sole determinant of South African voting behaviour. Economic insecurity, unemployment, inequality, policy preferences, and perceptions of government performance continue to significantly influence electoral choices alongside identity-based considerations (Dlamini et al., 2026).

In this context, the formation of GNU after the elections momentarily revived public optimism. This brief shift suggests that political arrangements signalling broader inclusion can renew confidence and hope, even if only temporarily. Such optimism, however, remains fragile and depends on whether coalition partners engage in mutual, genuine cooperation and constructive resolution of differences and conflicts, rather than adversarial brinkmanship. Without

substantive collaboration, the symbolic promise of unity quickly dissipates, accelerating public scepticism.

Long-term trends in attitudes towards racial antagonisms underscore these vulnerabilities. Public perceptions of positive improvements in the early post-1994 period have declined steadily since 2015, reflecting the cumulative effects of inequality, political fragmentation, party proliferation, polarisation, and institutional decline.

Cumulatively, these dynamics invite a critical distinction between solidarity and cohesion. Solidarity suggests grounded relationships, a sense of reciprocity, and collective agency, while cohesion often evokes a more static and sometimes idealised notion of unity. The evidence indicates that while solidarities persist at local and informal levels, broader social cohesion remains fragile. It is undermined by entrenched inequality, racial cleavages, low interpersonal trust between races, and a broadly declining trust in institutions across society.

The long-term attitudinal trends towards racial cleavages, interpersonal trust between people and across races, and trust in institutions expose significant social vulnerabilities. The reversal of early post-1994 improvements since 2015 has been shaped by widening inequality, polarised politics, party proliferation, and institutional decay. These dynamics highlight a critical distinction between cohesion and solidarity. They are not the same thing. Solidarity implies grounded relationships, reciprocity, and agency, while cohesion represents a more static, idealised image of unity. While social cohesion may exist at local and informal levels, it is undermined more broadly by entrenched inequalities, racial cleavages, limited interpersonal trust, and declining trust in institutions.

Elections, in this context, can either resolve or expose social cleavages. When participation declines and the integrity of the processes is called into question or compromised through malicious accusations, or when political contestation turns volatile or exclusionary, elections reveal the fragility of both cohesion and solidarity.

9 Electoral Administration and Management

The IEC is constitutionally established under Chapter 9 of the 1996 Constitution to administer and manage free and fair elections. It has, since its inception, been globally regarded as one of Africa's and the world's most credible electoral management bodies. Between 2000 and 2024, the IEC administered seven national/provincial elections, as well as six local/municipal elections, with hundreds of local/municipal by-elections in between. It has done so against a backdrop of deepening socio-economic inequality, political fragmentation, and, since 2009, sustained attempts by both governing and opposition parties to question its independence and integrity. While the commission has largely escaped the ignominious corrupt state capture that other public institutions have been subjected to, public trust in the IEC has nevertheless markedly declined from a high of 71% in 2010 to only 44% in 2023. This is despite its pivotal role in upholding democratic principles and providing a free and fair environment for a competitive political process. The IEC's decline in public trust is a result of collateral damage – a function of

the contagion effect from declining confidence in all public institutions and the political system overall (Sekamogeng & Egbude, 2024, p. 159).

9.1 *Achievements in Electoral Administration and Management*

Over the period from 2000 to 2024, the IEC achieved several significant milestones in electoral administration and management, successively reinforcing South Africa's democratic elections framework. This was accomplished through the efficient and effective handling of the regulatory framework, planning, logistics, outreach, voter education, and technical issues attendant to electoral processes throughout the entire electoral cycle. The widespread acceptance of election results, including the highly contested 2024 election results by all political parties and contestants, even after spurious legal challenges, reflects the robustness of South Africa's electoral regulatory framework, its judicial institutions, and the IEC's crucial role in managing extensive consultative and oversight platforms. These include party or political liaison committees, the regulation and training of party agents and electoral staff, the operationalisation of conflict mediation panels, and a range of other dispute resolution and oversight mechanisms. The IEC has also demonstrated a strong commitment to sound financial management, achieving clean audit outcomes for several consecutive years.

A key marker of its success is transparency in its operations, an open and robust process of voter registration, and the relatively sound maintenance of the voters roll. Opening the voters' roll for inspection, along with a process of objections and rectification, is an important contributor to trust in the process. The same transparency and objection procedures apply to the registration of political parties, party lists, and contestants.

The IEC has also demonstrated remarkable adaptability and agility in revising its systems and processes to align with the dynamic framework introduced by the Electoral Amendment Act of 2023/2024. This legislative milestone, which enabled the participation of independent candidates for the first time, required a significant recalibration of institutional mechanisms, which the IEC successfully implemented. Its modernising approach allows it to keep pace with information and communication technology (ICT) infrastructure and applications, even though electronic voting is still some way off. Improvements include the roll-out of technologies, security systems, and disaster recovery infrastructure enhancements; operating system upgrades; and the development of enhanced electoral applications such as the Declaration of Interest system, the Electoral Staff Management System, e-Recruitment, Outreach Management, and the Logistics Information System.

Despite its achievements, the IEC has faced persistent challenges in electoral administration and management. A salient concern is the continuous decline in overall voter turnout, particularly among the youth. This trend reflects a deep-seated disillusionment among voters and a growing belief that their individual vote does not lead to meaningful change, even though this declining rate of participation is not necessarily attributable to the IEC.

Delays in processing crucial electoral amendments, such as those for the 2021 local elections, and especially for the 2024 national and provincial elections, together with a series of court challenges surrounding them, created significant administrative uncertainty for the IEC. The limited time available inhibited the IEC's ability to undertake comprehensive logistical and practical preparations for the elections, especially voter outreach and education campaigns. This affected its operational readiness in 2024. The introduction of a new three-ballot system in 2024 caused widespread confusion at polling stations and resulted in voters being turned away. This deficiency undermined the IEC's reputation. The 2024 elections were marked by several logistical and operational challenges. These challenges included faulty voter management devices that caused delays in voter verification, delays in the delivery of election materials, and instances of poorly trained electoral staff, particularly presiding officers, which led to inconsistencies in implementing voting procedures. The introduction of a third ballot further complicated the voting process for both voters and electoral staff. Collectively, these administrative issues contributed to long queues and a shift in voting patterns, with most activity occurring later in the day, potentially discouraging participation.

Budget cuts imposed on the IEC by the National Treasury have constrained its financial capacity for essential activities such as training, logistics, and outreach, potentially impacting the commission's ability to run free and fair elections, particularly in an increasingly complex electoral environment. The IEC faces an increasing administrative burden due to an unprecedented number of ward by-elections, a consequence of profound instability gripping municipalities with hung councils and volatile coalition arrangements. The advent of social media also brought a proliferation of digital platforms, introducing new challenges related to the spread of misinformation and disinformation during elections. This can erode public trust in the electoral process and, in some cases, incite violence.

The IEC's record of robust impartiality has been bolstered by its successful defences in court cases brought against it. In the 2024 cycle alone, it resolved more than 80 electoral disputes in its favour. This serves to reinforce the integrity of the electoral process and the legitimacy of its outcome, supported by regulatory and judicial oversight (). Administratively, successive clean audits from the Auditor-General and generally transparent financial management have further bolstered its reputation for prudence and accountability.⁸ Operationally, the IEC has demonstrated flexibility, adaptability, and responsiveness. One recent example is the successful implementation of the Electoral Amendment Act of 2023, which, for the first time, permitted independent candidates to contest national and provincial elections and introduced a complex three-ballot system in 2024 (IEC, 2024, p. 21).

⁸ The annual reports of the IEC include the Auditor General of South Africa audit outcomes and opinions, in the financial statements section of the annual reports, typically under Part D or Part E of the Annual Reports under Annual Financial Statements. The full library of IEC Annual Reports can be found here: <https://www.elections.org.za/pw/Downloads/Documents-Library-Annual-Reports-IEC>

Technological modernisation has been another hallmark of the IEC's operations, characterised by upgrades to ICT infrastructure, the roll-out of the electronic Electoral Staff Management System, the inception of e-recruitment platforms, and enhanced data disaster recovery capacity, all of which have progressively professionalised it (IEC, 2023, pp. 46–50). Inclusivity initiatives, such as civil society outreach programmes, voter education, and service extension to the previously excluded and differently abled, have also improved. Recently, the IEC introduced the Universal Ballot Template, developed in partnership with the South African National Council for the Blind (SANCB), which has enabled visually and motor-impaired voters to cast secret and independent ballots, aligning South Africa with the United Nations Convention on the Rights of Persons with Disabilities (IEC & SANCB, 2022; United Nations Department of Economic and Social Affairs, n.d.).

The IEC is a generally respected institution with notable strengths, but it also faces real and growing vulnerabilities. Its ability to adapt, self-assess, and reform will be central to maintaining public trust in future electoral cycles.

9.2 Enduring and Emerging Challenges

Despite these advances, significant strains have emerged. Voter turnout has declined consistently, dropping from 76% in 2004 to 58% in 2024 with youth participation plummeting. This trend reflects broader disillusionment rather than being solely the result of an IEC failure. Furthermore, budget cuts imposed by the National Treasury since the mid-2010s have restricted voter education, outreach and engagement campaigns, staff training, and infrastructure maintenance. Meanwhile, the rising frequency of by-elections caused by municipal instability has further strained resources (Parliament of the Republic of South Africa, 2022).

The 2024 elections exposed operational vulnerabilities more starkly. There were widespread reports of malfunctioning voter management devices, late delivery of voting materials, inadequately trained polling staff, and confusion over the new three-ballot system, all of which resulted in long queues and perceptions of inefficiency. Allegations of election results tally and electronic scoreboard manipulation, together with procedural lapses, were also levelled against the IEC. These allegations echoed complaints during previous elections, with smaller parties claiming widespread instances of double voting, faulty indelible ink marking, ballot stuffing, and other irregularities – allegations that found fertile ground on social media disinformation channels and eroded confidence in the process (African Union Election Observation Mission, 2024; Electoral Institute for Sustainable Democracy in Africa [EISA], 2024; Planact, 2024; Sekamogeng & Egbude, 2024; Southern African Development Community [SADC] Electoral Observation Mission, 2024). Despite these problems, some of which were verified, an independent audit by Deloitte & Touche South Africa audited the results system and confirmed that, to the extent these irregularities occurred, they were isolated incidents and that no evidence could be found warranting a rerun of the elections. An earlier independent audit from Stats SA of 1 020 voting stations examined the incidences and risks of double voting precipitated by the

section 24A amendment and “revealed negligible risks of double voting”, materially impacting the overall results and outcome of elections (South African Government, 2019).

On the whole, most objective observers of the South African electoral process, including domestic and international observer missions provide a consistently positive narrative. The 2000 local/municipal government elections were praised for their technical competency following a survey of voters conducted by The Group: Democracy and Governance of the Human Sciences Research Council (IEC, 2000, p. 62). This was especially significant given that the electoral system and the entire local government system were completely unrehearsed, having been overhauled and reconfigured after the 1994 transition. The novelty of the local/municipal government election system could thus have posed significant challenges but was executed with aplomb. The 2004 national provincial elections were similarly praised for their free and fair nature, as well as their orderly and transparent conduct. This was despite observers noting problems with inequitable and lopsided access to the media, especially to the platforms of the public broadcaster. Observers reported that smaller opposition parties were systematically sidelined and implored the Independent Communications Authority to re-examine the regulatory environment for communications (EISA, 2004). Concerns were also raised about the lack of regulation and oversight of the funding of political parties, especially the complete absence of regulation regarding private and foreign funding and campaign fairness. The abuse of incumbency was an additional theme that was flagged, in which the governing party was accused of misusing government and public resources as campaign instruments (SADC Parliamentary Forum, 2004).

One influential study concluded the following about the 2004 elections, suggesting that the erosion of accountability and responsiveness may have its roots there.

In the 2004 elections, the conditions that favour democratic responsiveness and vertical accountability were lacking. Opposition parties were not seen by voters as viable alternatives to the ANC; there was a lack of debate around policy alternatives; the media blurred rather than clarified choices and voters lacked political efficacy. Taken together, these results indicate a downward spiral. If South Africans are not presented with viable alternatives from competent inclusive trustworthy opposition parties, voters will find little incentive to cast their ballot and consequently the governing party has little need to be accountable and take seriously the opinions and needs of ordinary people. The answer to the question of whether the 2004 election campaign contributed to the quality of democracy in South Africa has to be a resounding “no!”... this situation could result in the weakening of the quality of democracy. The threat is ... incremental erosion and decay (Africa, 2008, p. 212).

The 2009 elections, despite occurring in a context of heightened political tension, especially within the ANC and between the ANC and new political entrants such as COPE, were judged to be professionally run and compliant with regional standards (Electoral Commissions Forum of SADC Countries [ECF-SADC], 2009 p. 16; Gabriel, 2009, pp. 3, 6, 17). This was the election in which the ratcheting political rhetoric undermining the IEC came more sharply to observers’ attention (Gabriel, 2009, p. 11).

From the 2011 local/municipal government elections onwards, while praise for the integrity and efficiency of election management remained, criticism of the process became more pronounced. Domestic observers identified pockets of administrative weakness, uneven training, a lack of supervision and oversight of temporary electoral staff, and localised logistical weaknesses in municipal elections. They also stressed the need for targeted civic education, especially in more remote areas (Centre for Human Rights, 2011). The 2016 local elections raised concerns about a lack of contingency planning amid major protests affecting polling in some localities. Of concern were the lack of contingency plans for dealing with the shortage of balloting materials at many voting stations and the late arrival of these materials. The IEC was encouraged to engage in better planning for its ICT and logistics requirements, as well as to have better equipped and more experienced presiding officers and electoral staff (EISA, 2016). Politically, several missions noted the emergence of a more competitive electoral environment and the proliferation of parties and contestants, which sometimes tended to provoke a more volatile and tense political atmosphere but encouraged a diversity of voices and a competitive, rather than conflictual spirit, in the electoral contest.

After the 2014 elections, observers raised concerns about the advantages of incumbency and reiterated earlier suggestions to tighten rules to prevent the misuse of state resources during the campaign period, “including on government advertising, during the electoral period” (Commonwealth, 2014, p. 37). There was also a call to review regulations on party activities near voting stations to reduce the possibility of intimidation or voter confusion, noting that “regulations permitting political parties to establish party desks outside the immediate boundaries of voting stations should be reviewed” (Commonwealth, 2014, p. 37). Administratively, it was noted that improvements were required in ballot handling and the labelling of ballot boxes. It was also suggested that ballot papers be distinguished by different colours and be unambiguous.

After the 2019 elections, assessments of the legal and institutional frameworks underpinning electoral administration were conducted. While observers judged the elections broadly credible, several missions emphasised the need for targeted legislative and regulatory reforms to enhance transparency, inclusivity, and administrative robustness. Even the usually sanguine African Union and SADC missions, while commending the overall professionalism in the management and administration of the elections, emphasised the need for legal and regulatory changes. The most significant of these lacunae were the absence of a party-funding regulatory framework and the complete lack of transparency in both the private funding of political parties and their exorbitant campaign spending. Multiple missions highlighted the importance of operationalising and enforcing the Political Party Funding Act, noting that meaningful transparency in party financing would strengthen electoral fairness and public confidence. Observers pointed out that although the Act had been adopted, its implementation lagged and required formal regulatory alignment for disclosure, reporting, and oversight. The second significant issue was that the closed-list proportional representation system excluded independent candidates from contesting at the national and provincial levels, prompting a recommendation for legislative

amendments to uphold the constitutional right to political participation. This recommendation preceded the *New Nation Movement* Constitutional Court decision, which later compelled Parliament to amend the Electoral Act to allow independent candidates to participate in the 2024 election.

The 2024 cycle elicited the most nuanced observations and verdicts to date. The SADC Electoral Observation Mission (2024) described the elections as “professionally organised ... in an orderly, peaceful and free atmosphere”, while the African Union, EISA, and other domestic observer groups affirmed the credibility of the legal framework and the peaceful environment. However, they converged in sharp criticism of the election’s operational execution, citing faulty technology, long queues, inadequately trained staff, poor queue management at voting stations, poor logistical planning, and an increasingly politically polarising environment among political parties (African Union Election Observation Mission, 2024; EISA, 2024; KwaZulu-Natal Christian Council, 2024; Planact, 2024). Confusion arising from the new three-ballot system affected a significant number of voters, slowing down voting processes at some stations and challenging inadequately trained staff who were unable to troubleshoot long waiting times, streamline voting processes, and make informed decisions about voters not registered at the voting stations. This requirement was introduced as an amendment to Section 24A of the Electoral Act, which mandates that voters must cast their ballots at the stations where they are registered. This also created inconsistencies in the application of the rules, with some presiding officers allowing voters to vote as long as they were within the province in which they registered, while others did not.

I think a low hanging fruit is changing the law that says you can only vote at your voting station ... a lot of people were turned away. Whereas before, if you are in Gauteng, you could vote anywhere in Gauteng. You just fill in a form ... Another hidden advantage of this change is that if a voting station is full or the ballot papers have not arrived, or there’s a long line, you can go to another voting station and vote there instead, thereby lessening the lines [FG1, Part 2, 61:21–62:202].

Deficiencies in clear and confident communication by the IEC were identified as a problem in a polarised environment where false and unverified allegations were levelled at the IEC. The effects of IEC budget cuts on outreach and logistics were noted by observers, who recommended urgent improvements in contingency planning for technology failures, better queue management, and stronger public communication to restore confidence. They also highlighted confusion over the new three-ballot system, inadequate staff training at some polling stations, and deficiencies in communication. Civil society reports and think-tank analyses likewise highlighted the impact of IEC budget cuts on outreach and logistics. Observers recommended urgent improvements in staff training, contingency planning for technology failures, better queue management, and stronger public communication to restore confidence. They also emphasised enhanced staff recruitment and training, with some proposals even suggesting certification (Fakir, 2021c; Portfolio Committee on Home Affairs, 2025b).

9.3 *The IEC's Straining Resilience*

For over two decades, the IEC has retained its status as an institutionally and organisationally robust, internationally respected electoral body. Observer missions throughout the period have repeatedly affirmed the strength of South Africa's legal framework, the commission's independence, and its logistical capacity relative to regional peers. Yet the tone of reports has shifted from early, almost unqualified praise for technical expertise to increasing concern over operational fragility, resource constraints, the corrosive impact of delegitimising political rhetoric and online disinformation, poor maintenance of the voters' roll, and uncertainties around party registration and candidate vetting. The IEC's willingness to engage in rigorous self-review, acknowledging 2024's technical failures and committing to reforms, offers grounds for cautious optimism (IEC, 2024, p. 21; Portfolio Committee on Home Affairs, 2025b); however, sustaining public trust will require more than introspection. With sustained budgetary support, systematic investment in staff training and technological advancements, focused education, outreach, and engagement, together with proactive and even aggressive countermeasures against misinformation and false claims and allegations against the commission, it will be possible to maintain a semblance of credibility and advance it over time.

Although it was efficient and effective overall, there is room for the IEC to strengthen its management and administration of elections. This can be achieved by conducting more effective recruitment, improving staff training, imposing exit standards and requirements, and investing in more advanced logistical and technological infrastructure. In 2019 and 2024, the IEC was found lacking in its ability to communicate effectively, which rendered it vulnerable to opportunistic, predatory, and self-interested parties. Though the IEC was technically prepared and possessed sound knowledge of the electoral regulatory environment, it did not demonstrate this with the necessary authority.

Towards the end of the vote-counting process during the 2019 elections, and again during the 2024 elections, allegations were made of the IEC's complicity in rigging the electoral outcome. In 2019, a number of small parties, led by the African Transformation Movement, alleged widespread incidents of double voting due to the ineffectiveness of the indelible ink used by the IEC to mark people who had already voted. It was alleged that, in addition to double voting, registered voters were not permitted to vote at certain polling stations. In 2024, the MK Party alleged that a technical glitch, in which the public election scoreboard went blank, was a malicious intervention intended to reconfigure the counting system and effectively deprive the MK Party of votes. Despite repeated threats to have the electoral result nullified in court, the MK Party case was alternately withdrawn voluntarily and subsequently dismissed due to a lack of evidence and no prospect of success.

Regarding the claims made by these smaller political parties, one post-election report observed the following:

Although the complaints made by small parties were grossly exaggerated, the IEC recognised the importance of the allegations of double voting and ascertaining the extent to which it in fact occurred. It also recognised a number of other problems, including faulty scanning (zip-zap machines), irregular and fraudulent activity by some electoral officials and other electoral malpractices. The IEC was swift to order an independent audit of the results and investigations into the extent of irregularities and malpractices, which was undertaken by Statistics South Africa. The independent audit concluded that, far from requiring a rerun of the entire elections, there was not sufficient evidence to warrant a revote at individual voting stations about which there had been specific complaints (Maphunye, 2019).

This notwithstanding, the IEC needs to pay closer attention to electoral logistics and administration, minimise procedural irregularities, and certify trained electoral officials. Though the latter might seem onerous, it may be worth the investment, as unstable politics emanating from chaotic elections could have combustible sociopolitical consequences.

In countries experiencing deep conflict, especially those triggered by contestation over election outcomes, political trajectories have been shaped by latent and residual social antagonisms based on identity rifts. For example, in the Democratic Republic of the Congo, these rifts have been around ethnicity and dynasty; in Kenya, they have manifested in ethnic identity and its relationship to social access and mobility; in Zimbabwe, and to a lesser extent Mozambique and Angola, these rifts are around race, class, ethnicity, and dynastic party power; and in Lesotho, they have surfaced in the form of access to and proximity to power, with loyalty based to some degree on kinship.

Once socio-economic and political conflicts have been exhausted, assaults on independent institutions begin. When there is a threat to power or influence, or an opportunity to gain power without purpose, election management bodies, as independent institutions, face direct assault. This could occur in one or a combination of the following ways:

- Manipulating or wresting control of appointments to the commission. In cases where the institution's independence is legally and constitutionally enshrined, influence is exerted by stacking appointments. In this sense, influence becomes a tolerable evil built into the process.
- Meddling in appointments, manipulating organisational procedures and processes, and intervening in the operations of election management bodies.
- Fiddling, whether deliberate or targeted, with regulatory and policy processes.
- Underfunding and understaffing, combined with overburdening through added responsibilities and a broadened scope, would set the election management body up for failure.
- Actively delegitimising, targeting, and blaming the election management body.

10 Analysis and Discussion

South Africa does not appear to have a problem with democracy, but rather a problem with democratic governance. The legitimacy of South Africa's democratic institutions is unquestionable, but their credibility is not.

Political parties, the socialising aggregators, meant to be in the vanguard of articulating societal interests, appear fragmented, factionalised, and disconnected from their social and ideological bases and their policy platforms. This has led to a widespread crisis of representation and responsiveness, in which the representative institutions of lawmaking, oversight, and accountability – constituted by political parties – are perceived as isolated from and unresponsive to public concerns. This is further evidenced by the declining levels of trust in political institutions, as demonstrated in Table 1.1.

As the principal institutional organisers of politics and public deliberation, parties fare badly. In 2006, trust in the governing ANC stood at 62%, but by recent measures, it has plummeted to 27%. Opposition parties fare little better, with trust declining from 29% to 24% (Lefko-Everett, 2023). This means that political parties, in general, were not seen as aggregators of societal interests, which in turn triggered a crisis of representation and responsiveness. This crisis has impacted democratic governance processes, constrained checks on the abuse of power, blunted oversight, and resulted in low levels of accountability and high levels of impunity. These factors cumulatively fuelled unprecedented levels of maladministration and malfeasance.

Even the IEC, historically a bastion of solid reliability, has seen its trust eroded due to political denigration, as well as administrative and logistical mishaps. Whereas elections typically signal hope and the possibility of renewal, either through reaffirming incumbents or ushering in new leadership, South Africa's 2024 national and provincial elections reflected deep public mistrust in the political process and revealed a fragmented electorate in terms of providing a mandate to parties. By far, the largest cohesive group among the electorate was those who chose to stay away from the elections. Turnout in 2024 stood in stark contrast to the early post-1994 levels, reflecting a deepening disengagement from the electoral process. The 58% turnout in the 2024 elections was a record low, underscoring concerns about systemic disengagement from the process due to consistently declining levels of confidence and trust in public institutions.

Equally concerning is a 2021 Afrobarometer finding, which indicates that a substantial majority of South Africans are willing to forego regular elections – and, by extension, some aspects of democratic governance – if a non-elected government could deliver basic services such as safety, housing, and jobs (Moosa & Hofmeyr, 2021). A demographic breakdown shows consistently high willingness across groups (66% overall) with those experiencing moderate to high levels of lived poverty reporting up to 71%, and rural respondents around 68% in favour of a non-elected government (African Insights, 2024, p. 23). These sentiments reflect dissatisfaction with elected governments' ability to meet people's needs. However, this should not be interpreted as a rejection of democracy as a system of government. While most respondents

expressed a willingness to trade off elections, they still reject authoritarian alternatives such as one-man rule, military rule, or one-party dominance (African Insights, 2024, p. 20). Although trust in democratic institutions has declined sharply, there remains broad conceptual support for democratic ideals, tempered by pragmatic impatience with the slow delivery of services and ineffective government performance.

The aftermath of the 2019 elections witnessed a trend, evident since 2014 and consolidated in the 2021 elections, of excessive fragmentation and splits among political parties. The DA split into three distinct parties, while the ANC further fragmented into four after the formation of the EFF in 2013. This was followed by the establishment of the African Transformation Movement and the African Content Movement, the latter founded by expelled former ANC secretary-general Ace Magashule. By far the largest breakaway from the ANC was the formation of the MK Party by Jacob Zuma, the former president of South Africa and the ANC. The MK Party was also the most consequential for ANC support in the 2024 elections, shaving 15% off its support and bringing it down to 40%.

In addition, in 2024, a plethora of new parties and independent candidates emerged to contest elections following the Constitutional Court's finding that the existing electoral scheme, in use from 1994 until 2019, was unconstitutional because it did not allow independent candidates outside a political party to contest elections.⁹ Few of the new parties and none of the independents were successful, except for a few special niche parties, which themselves did not fare well, at best securing one or two seats.

The period from 1999 to 2024 in South Africa's electoral history reveals a dynamic and complex democratic landscape. South Africa has largely maintained its foundational party-list proportional representation system, a design aimed at ensuring broad representation of diverse political preferences. However, the government's implicit rejection of early proposals for constituency-based accountability, as put forth by the ETT in 2003, may have contributed to a perceived distance between citizens and their representatives, potentially impacting public trust in political institutions over time. More recent legislative reforms, particularly the Electoral Amendment Act of 2023/2024 allowing independent candidates, represent an evolution towards greater inclusivity, albeit with administrative complexities such as the new three-ballot system and the problematic Section 24A amendment.

A central finding of this paper is the stark and concerning decline in voter turnout, especially among youth. This trend is not merely a procedural one. It reflects deep-seated disillusionment rooted in persistent socio-economic challenges, including high unemployment, poverty, and corruption. For many, the political agency offered by voting has not translated into tangible improvements in their economic circumstances, leading to growing disengagement from formal

⁹ *New Nation Movement NPC and Others v President of the Republic of South Africa and Others* (CCT110/19) [2020] ZACC 11; 2020 (8) BCLR 950 (CC); 2020 (6) SA 257 (CC) (11 June 2020).

democratic processes. This generational shift, in which non-voting becomes normalised, poses a significant threat to the long-term legitimacy and responsiveness of South Africa's democracy.

While South Africa's elections have largely avoided large-scale violence since 1994, the period under review reveals a persistent and evolving pattern of targeted political violence and killings, particularly at the local level. These incidents are often linked to intense competition for resources and patronage within political structures, exacerbated by low conviction rates that foster a sense of impunity. Furthermore, the pervasive everyday violence and socio-economic grievances frequently manifest as service delivery protests, which can become politicised around election times. The 2024 elections, while relatively peaceful in terms of widespread unrest, still saw ongoing targeted killings and a new challenge in the form of rampant information manipulation, underscoring the need for adaptive security strategies.

The IEC has demonstrated remarkable institutional resilience and professionalism, consistently achieving clean audits and successfully managing complex electoral processes, including significant voter registration drives and adaptations to new legislation. Its international leadership in electoral governance is also noteworthy. However, the IEC faces ongoing challenges, including declining voter turnout, gaps in voter education, logistical hurdles on election day, and funding constraints. The pursuit of greater voter access, particularly in rural areas, remains a challenge for digital solutions due to infrastructure limitations, necessitating a careful, phased approach to e-voting.

In terms of inclusion, representation, and solidarity, South Africa presents a mixed picture. Legal reforms and IEC initiatives have broadened inclusivity, for instance, by supporting independent candidates and implementing accessibility measures for persons with disabilities. The proliferation of political parties offers greater choice and theoretical representation but also leads to vote fragmentation, complicating governance. While women consistently demonstrate high electoral participation, youth remain significantly underrepresented. The declining metrics of social cohesion, particularly in trust in institutions and acceptance of diversity, point to deeper societal fragmentation that electoral processes alone cannot fully mend (Fakir, 2025b).

The 2024 general elections, culminating in the formation of the GNU, represent a pivotal moment. The ANC's loss of its outright majority signals the emergence of a more competitive political landscape and the necessity of coalition governance. This GNU, by incorporating diverse political actors, holds the potential to foster broader representation and rebuild public trust. However, its success hinges on its ability to effectively address the underlying socio-economic disparities, rebuild trust in institutions, and translate its inclusive mandate into tangible improvements in citizens' lives. The initial post-election optimism is fragile, requiring sustained, inclusive, and accountable governance to prevent further democratic backsliding and societal fracturing.

Despite South Africa's democratic transition and sustained institutional continuity since 1994, survey data from the South African Reconciliation Barometer reveals persistent and, in some

cases, worsening challenges: declining trust in public institutions, growing disaffection with political parties, unresolved racial and economic inequality, and fragile social relations. While South Africans continue to value democracy as a system of government, their confidence in its performance particularly at local and national levels has eroded sharply.

South African Reconciliation Barometer data consistently shows that trust in Parliament, political parties, local government, and law enforcement is critically low. Approximately 80% of respondents believe that political leaders are disconnected from their lived realities, and fewer than one in three express confidence in local government. These findings coexist with continued electoral participation and majority support for major public policies, revealing a disjunction between democratic legitimacy and institutional credibility.

This gap cannot be adequately explained by service delivery failures alone. Rather, it points to a deeper breakdown in the accountability–oversight–responsiveness nexus. Citizens experience limited mechanisms to hold leaders accountable between elections; legislative oversight is often perceived as partisan and performative rather than substantive; and the state frequently interprets popular discontent as resulting from technical or resource-based limitations rather than from political demands for voice, dignity, and inclusion.

The emergence of coalition governance at the local level since 2016, and nationally since 2024, has intensified these challenges. Coalition arrangements have largely focused on elite power-sharing and executive stability, with limited attention given to embedding accountability, redistribution, and substantive representation within governance structures. This has contributed to public cynicism and reinforced the perception that democratic institutions serve political elites rather than social constituencies.

While political contestation has been successfully institutionalised and maintained, it has paradoxically given rise to social and representational fragmentation. The procedural integrity of successful political contestation has not translated into improved government performance in the substantive socio-economic transformation envisioned by the RDP or the Constitution.

Performance-dependent legitimacy has consequently emerged as an important feature, as voters increasingly prioritise integrity in policy, government performance, and government service delivery over liberation credentials, sentimentality, and emotional partisan attachment to parties. Evidence from a survey of 3 905 registered voters across five metropolitan municipalities supports this interpretation. Paret and Runciman (2023) show that Black African voters who moved away from the ANC in 2021 were more likely to cite disappointment with service delivery and a desire for change than racial, ethnic, or liberation-based considerations, while abstention frequently emerged as a more viable political option than switching to another party. Their findings suggest that electoral competition in urban South Africa is increasingly shaped by performance-based evaluations and strategic withdrawals, rather than solely by stable liberation loyalties. The weakness of the electoral system in providing mechanisms for responsiveness and accountability has led to a retreat from healthy political criticism and

scepticism into open cynicism, hostility, and democratic fatigue. The 2023 Electoral Amendment Act, intended as a remedy, functioned more as an administrative adjustment than as a reform, ultimately failing to break the stranglehold of party-centric dominance. For South Africa's democracy and democratic governance to advance, the evolution of its political culture must move beyond the current representative conduits towards a system that derives consent to be governed from the responsiveness of political representatives and government administration.

11 Conclusion

I think the main problem is, we become complacent and we don't know people who are accountable, reliable ... if I'm working for a company and I steal, I should be fired immediately. If I can't give valid reason, no explanation as to where the money went to, they should be let go, not make them complete their term of office. So, I think that people should be held accountable. They should be liable. No immunity [FG1, Part 2, 69:35–70:27].

South Africa does not face a crisis of electoral or political legitimacy. Its elections remain procedurally free and fair, and its constitutional architecture is largely intact. The crisis lies in the institutional and electoral architecture of the closed-list proportional representation system, which, while instrumental in ensuring inclusive representation during the post-apartheid transition, has structurally incentivised upward accountability, the exercise of authority without accountability, and the (ab)use of power without responsibility. This institutional configuration has facilitated procedural manipulation and the centralisation of executive power and authority while weakening oversight.

South Africa does not suffer from a crisis of democracy per se; rather, it faces a crisis of democratic governance. The legitimacy of its democratic institutions is unquestionable, but their credibility is not. Political parties, the primary agents for aggregating and articulating societal interests, have become fragmented, factionalised, and increasingly detached from their social base. The consequence has been a widening crisis of political representation and institutional responsiveness. Public institutions are perceived as opaque, insulated, and only weakly accountable – a perception substantiated by steadily declining levels of trust across the political system. As the principal organisers of political contestation, parties fare particularly poorly.

Declining trust in and dissatisfaction with institutions signal a deeper crisis of representation and responsiveness. This crisis is accompanied by a crisis of conscience and consciousness, in which parties and political elites appear to lack a principled commitment to ideas and principles, leaving the electorate without a meaningful measure of political identification and orientation. At the level of political parties, organisational cohesion and ideological fidelity have weakened considerably. Leaders and members move between parties with unremarkable ease, mirroring the fragmentation and proliferation of political formations. These shifts signal not a strategic political repositioning or ideological realignment but a deeper erosion of belief, commitment, and discipline. The result is an ideological and programmatic vacuum in which political parties appear unanchored to coherent principles or beliefs, generating informality in decision-making, impunity in political behaviour and in the exercise of authority, and a breakdown of effective

oversight and accountability mechanisms that are compromised. Responsiveness to social concerns erodes, and developmental outcomes, especially those related to basic services at the local level, deteriorate rapidly. Instead, transactional behaviour, opportunistic alliances, and short-term interests predominate. The erosion of political identity, affiliation, and imagination reflects a diminished capacity to see politics and government as spaces for a long-term project of fostering transformation, redistribution, and development; instead, they are viewed merely as arenas for tactical contestation over power, authority, and the spoils of office.

11.1 Political Party Dynamics: Realignment, Fragmentation, Coalition Bargaining, and Institutional Erosion

South Africa's party-political landscape is no longer defined primarily by stable ideological competition but increasingly by fragmentation, coalition bargaining, and transactional political realignments. The GNU has not stabilised party competition; instead, it has institutionalised a more fluid and contested system in which parties oscillate simultaneously between cooperation, obstruction, and competition.

The dominant feature of the current political environment is the weakening of political legitimacy across the party spectrum. Public trust in political parties and leadership continues to decline, while coalition governance has become a series of negotiated positions aimed at accessing state resources, patronage networks, and exercising influence over supply chains and procurement through state departments, rather than serving as a mechanism for democratic consensus seeking on a common policy agenda and a minimum programme for government.

11.2 The ANC: Managed Decline and Succession Paralysis

The ANC remains the central organising force in South African politics but governs from a position of diminishing authority. Electoral decline, factional conflict, and succession contestation increasingly shape its behaviour in government. The approach to the 2027 elective conference has intensified internal competition among reformist, patronage, and provincial blocs, with governance decisions frequently subordinated to succession calculations and coalition management.

The GNU has exposed, rather than resolved, these contradictions. While the party formally embraces coalition governance nationally, provincial and local ANC structures appear to be pursuing divergent coalition arrangements driven by local patronage dynamics and localised factional interests. The result is fragmented authority and inconsistent governance behaviour across the state.

Critically, cadre deployment practices and politically mediated appointments remain deeply embedded within state institutions despite rhetoric about reform. Institutional capability continues to be undermined by the prioritisation of political loyalty, factional balancing and predatory patronage interests over professionalisation and accountability.

11.3 The DA: Reformist Rhetoric and Incumbency Contradictions

The DA has attempted to position itself simultaneously as a governing partner within the GNU and as the principal electoral alternative to the ANC. Its governance record in Cape Town and the Western Cape provides it with some credibility regarding administrative functionality and fiscal management. However, its participation in government has increasingly exposed tensions between reformist positioning and incumbent behaviour.

As the GNU matures, the DA faces the same pressures that shape governance across the broader political system. Patronage incentives, coalition bargaining, procurement politics, and ideological compromise have all become features of the DA's internal politics and its approach to governance. Controversies surrounding procurement, regulatory flexibility, donor alignment, and administrative decision-making have begun to blur the distinction between the DA's anti-corruption narrative and the practices it once criticised the ANC for.

The party also continues to struggle with the contradiction between expanding beyond its traditional support base and periodically reverting to identity-based politics, which limits its broader electoral appeal.

11.4 The EFF and MK: Populism, Personalism, and Anti-Institutional Politics

The EFF's electoral stagnation and leadership losses to the MK Party reflect a broader fragmentation within populist opposition politics. The party remains rhetorically influential but organisationally weakened, while legal pressures surrounding Julius Malema create additional uncertainty about its long-term cohesion.

The MK Party has emerged as the primary vehicle for anti-establishment resentment, particularly in KwaZulu-Natal. However, its politics remain heavily personalised around Jacob Zuma and are defined more by opposition to the constitutional order and the GNU than by any coherent policy or governance programme. Its conduct has largely prioritised disruption, litigation, and institutional delegitimisation over substantive policy debate or democratic oversight.

Both the EFF and MK increasingly reflect a broader trend within South African politics of the displacement of programmatic politics by performative confrontation, grievance mobilisation, and personality-driven populist political organisation.

11.5 Smaller Parties and the Logic of Transactional Coalitions

Among smaller parties, ideology has become secondary to coalition utility. Political relevance is increasingly determined by bargaining leverage within fragmented representative institutions and coalition governments, rather than by organisational strength, electoral prospects or policy coherence. This has produced a transactional political environment in which small parties leverage disproportionate influence relative to their electoral support, often extracting executive positions, procurement influence, or other concessions in exchange for coalition participation or legislative support. The transition from a dominant-party government to a coalition

government, when no party is capable of securing an outright majority, has made coalition bargaining an unavoidable stage of government formation. This may not inherently lead to instability. Coalition administrations can govern effectively where institutional arrangements encourage cooperation, coalition agreements establish clear rules for decision-making, and political parties accept compromise as a normal feature of democratic government. But since the current political culture, in its interaction with a party-centric political and governmental system, creates high incentives for profiting off arbitrage, the experience of coalition government, especially at local councils, has been different locally.

Coalitions have generally been negotiated rapidly after elections or following motions of no confidence. Agreements have frequently focused on executive positions and distribution of the spoils of office – including irregularly influencing public procurement, contracts and tenders - rather than shared governance priorities, or a core minimum on a government programme.

The proliferation and fragmentation of smaller parties in such arrangements also reflect the broader erosion of political legitimacy. New formations increasingly emerge less as durable organisational or ideological projects and more as vehicles for leadership ambition, predatory economic access and elite repositioning, or tactical coalition leverage.

11.6 Coalition Governance and the Accountability Crisis

The cumulative effect of these dynamics is a political system in which coalition governance often weakens incentives for accountability. Fragmented authority diffuses responsibility, complicates oversight, and creates multiple veto points within governance processes. Political actors increasingly prioritise coalition survival, factional balancing, and access to institutional resources over coherent governance reform.

The danger is not simply instability but the normalisation of a political culture in which public institutions are treated as sites of negotiated extraction. In this environment, accountability becomes fragmented, institutional integrity weakens, and democratic legitimacy erodes, even while constitutional structures formally remain intact.

The emerging risk for South Africa is not democratic collapse but democratic governance paralysis – a cycle in which fragmented coalitions, insulated representatives, and declining public trust reinforce one another.

If institutional reform remains limited to accommodating independents within the existing framework, without strengthening geographic accountability or recalibrating the incentives for representation and responsiveness, South Africa may experience deepening instability in coalition governance through politicised uncertainty and institutionalised ambiguity. Politicised uncertainty refers to the strategic production or maintenance of uncertainty in political decision-making processes as a bargaining instrument. In coalition contexts, actors may deliberately threaten withdrawal, shift allegiances, or signal instability to extract concessions, secure access to resources, or renegotiate power arrangements. Rather than being an unintended by-product of fragmentation, uncertainty becomes a deliberate instrument of leverage. The result is policy

incoherence, delayed budgeting processes, weakened oversight, and erosion of administrative predictability (Fakir, 2025b).

Institutionalised ambiguity, by contrast, refers to the embedding of vague norms, flexible procedural interpretations, and discretionary rule applications within political and administrative institutions. When ambiguity becomes routine, it creates structural space for selective interpretation, strategic compliance, and uneven enforcement. This weakens accountability by allowing actors to operate within formally legal but substantively opaque frameworks. Over time, such ambiguity becomes normalised within organisational culture, undermining policy precision, regulatory clarity, and sustainable implementation (Fakir, 2025b).

Together, politicised uncertainty and institutionalised ambiguity generate a political environment characterised by instability, unpredictability, and diminished responsiveness. The long-term sustainability of South Africa's democratic project will, therefore, depend less on the procedural management of elections and more on reducing political brinkmanship and recalibrating the institutional incentives that structure representation, accountability, and executive restraint.

References

- Africa, C. J. (2008). *The impact of the 2004 election campaign on the quality of democracy in South Africa* (Doctoral thesis, University of Cape Town).
<https://open.uct.ac.za/server/api/core/bitstreams/5bed2208-9440-4351-a23c-291838314977/content>
- African Insights. (2024). *Democracy at risk: The people's perspective*. Afrobarometer.
https://www.afrobarometer.org/wp-content/uploads/2025/05/Afrobarometer-FlagshipReport2024_Eng-v18_Electronic-14july24.pdf
- African Union Election Observation Mission. (2024, June). *Final report of the African Union Election Observation Mission to the 29 May 2024 general elections in the Republic of South Africa*. African Union Commission. https://au.int/sites/default/files/documents/44062-doc-Final_Report_General_Elections_-_South_Africa_2024.pdf
- Barolsky, V. (2010). Elections: extinguishing antagonism in society? *Journal of African Elections*, 9(2), 79–99. <https://www.eisa.org/storage/2023/05/2010-journal-of-african-elections-v9n2-elections-extinguishing-antagonism-society-eisa.pdf>
- Barolsky, V. (2016). “Loving thy neighbour” in times of violence: Social cohesion and collective efficacy in South Africa. *Psychology in Society*, (51), 1-27.
- Bhorat, H., Buthelezi, M., Chipkin, I., Duma, S., Mondli, L., Peter, C., Qobo, M., Swilling, M., & Friedenstien, H. (2017). *Betrayal of the promise: How South Africa is being stolen*. State Capacity Research Project. <https://pari.org.za/wp-content/uploads/2017/05/Betrayal-of-the-Promise-25052017.pdf>
- Bond, P. (2014). *Elite transition: From apartheid to neoliberalism in South Africa*. Pluto Books.
- Booyesen, S. (2011). *The African National Congress and the regeneration of political power*. NYU Press.
- Branson, N. (2016, July). *South Africa's watershed elections: Awry, the Beloved Country?* (Briefing Note 1605). Africa Research Institute. https://africaresearchinstitute.org/wp-content/uploads/2016/07/ARI_SA_elections4.pdf
- Branson, N., Hjellbrekke, J., Leibbrandt, M., Ranchhod, V., Savage, M., & Whitelaw, E. (2024). The socioeconomic dimensions of racial inequality in South Africa: A social space perspective. *The British Journal of Sociology*, 75(4), 613–635. <https://doi.org/10.1111/1468-4446.13115>
- Breakfast, N. (2014). Anti-neo-liberal social movements within the context of South African municipalities. *Administratio Publica*, 22(1), 66–84.
<https://journals.co.za/doi/pdf/10.10520/ejc-adminpub-v22-n1-a5>
- Centre for Human Rights. (2011). *Election Observer Team Report: South African Local Government Elections*. Faculty of Law, University of Pretoria. https://www.chr.up.ac.za/images/centrenews/2011/files/chr_election_observer_report_samunicipal_elections.pdf

- Cheru, F. (2001). Overcoming apartheid's legacy: The ascendancy of neoliberalism in South Africa's anti-poverty strategy. *Third World Quarterly*, 22(4), 505–527. <https://doi.org/10.1080/01436590120071768>
- Commonwealth. (2014). *Report of the Commonwealth Observer Mission: South African national and provincial elections*. <https://comsec-web-static.s3.eu-west-1.amazonaws.com/s3fs-public/documents/Commonwealth%20Observer%20Mission%20Report%20for%20the%202014%20South%20Africa%20elections.pdf>
- Dassah, M. O. (2018). Theoretical analysis of state capture and its manifestation as a governance problem in South Africa. *TD: The Journal for Transdisciplinary Research in Southern Africa*, 14(1), 1–10. <https://doi.org/10.4102/td.v14i1.473>
- Department of Health, South African Medical Research Council, & Measure DHS+. (2002). *South Africa Demographic and Health Survey 1998*. Department of Health. <https://dhsprogram.com/pubs/pdf/FR131/FR131.pdf>
- Department of Health, Statistics South Africa, South African Medical Research Council, & ICF. (2019). *South Africa Demographic and Health Survey 2016*. Department of Health. <https://dhsprogram.com/pubs/pdf/FR337/FR337.pdf>
- Desai, A. (2007). Taylorism and Mbekism: Part two: Policy and political choices. *Africanus*, 37(2), 272–287. <https://hdl.handle.net/10520/EJC22636>
- Dlamini, S., Ayodele, O., Davids, Y. D., & Krovitz, S. (2026). Voting behaviour and identity politics: Reflections on the 2024 national and provincial elections. *Journal of African Elections*, 25(2), 72–118. <https://www.eisa.org/storage/2026/06/2026-journal-of-african-elections-v25n2-eisa.pdf>
- Dragolov, G., & Boehnke, K. (2024, November 26). *The South Africa social cohesion index: Measuring the well-being of a society*. Inclusive Society Institute. <https://www.inclusivesociety.org.za/post/the-south-africa-social-cohesion-index-measuring-the-well-being-of-a-society>
- Electoral Commissions Forum of SADC Countries. (2009). *Observer mission report: National and provincial elections of South Africa*. <https://aceproject.org/ero-en/regions/africa/ZA/electoral-commissions-forum-of-sadc-countries-ecf>
- Electoral Institute for Sustainable Democracy in Africa. (2004). *Election Observer Mission Report South African national and provincial elections, 12–14 APRIL 2004* (EISA Election Observer Mission Report No. 14). <https://aceproject.org/ero-en/regions/africa/ZA/South-Africa-National-and-Provincial-Elections-12/view>
- Electoral Institute for Sustainable Democracy in Africa. (2016). *Election Observer Mission Report, South Africa local government elections, 3 August 2016* (EISA Election Observer Mission Report No. 52). <https://aceproject.org/ero-en/regions/africa/ZA/south-africa-election-observer-mission-report-03/view>

Electoral Institute for Sustainable Democracy in Africa. (2024). *International Election Observer Mission to the 2024 national and provincial elections in the Republic of South Africa*. <https://www.eisa.org/storage/2024/05/2024-preliminary-statement-eom-south-africa-eisa.pdf?ement-eom-south-africa-eisa.pdf>

Electoral Task Team. (2003). *Report of the Electoral Task Team*. Government Printer. <https://static.pmg.org.za/docs/Van-Zyl-Slabbert-Commission-on-Electoral-Reform-Report-2003.pdf>

Everatt, D. (2016). The era of ineluctability? Post-apartheid South Africa after 20 years of democratic elections. *Journal of Southern African Studies*, 42(1), 49–64. <https://doi.org/10.1080/03057070.2016.1116326>

Fakir, E. (2001). *Democracy and the arms deal: Part III*. Institute for Democracy in South Africa.

Fakir, E. (2007). Polokwane: A return to the politics of the public interest? *SA Reconciliation Barometer*, 5(4), 10–13. https://www.ijr.org.za/home/wp-content/uploads/2019/10/IJR_BAROMETER-Dec-2007-WEB.pdf

Fakir, E. (2004). Institutional restructuring, state-civil society relationships and social movements. *Development Update*, 5(2).

Fakir, E. (2009). *Politics, state and society in South Africa: Between leadership, trust and technocrats* (Development Planning Division Working Paper Series No.1). Development Bank of Southern Africa.

Fakir, E. (2014). Fragmentation and fracture: The loss of trust and confidence in political parties. In *SA Elections 2014: Political opposition – Cohesion, fracture or fragmentation?* (EISA Election Update No. 4, pp. 1–8). Electoral Institute for Sustainable Democracy in Africa.

Fakir, E. (2021a). Continuity, consolidation and change: Local government elections lead to politicised uncertainty and institutional ambiguity. *New Agenda: South African Journal of Social and Economic Policy*, 82, 12–17. https://journals.co.za/doi/pdf/10.10520/ejc-nagenda_v2021_n82_a4

Fakir, E. (2021b, August 21). Parliament's stature and standing on the precipice of withering away. *News24*. <https://www.news24.com/opinions/analysis/ebrahim-fakir-parliaments-stature-and-standing-on-the-precipice-of-withering-away-20210821>

Fakir, E. (2021c, December 30). Preserving the integrity of elections in SA – the 2021 municipal elections and beyond. *News24*. <https://www.news24.com/news24/columnists/guestcolumn/ebrahim-fakir-preserving-the-integrity-of-elections-in-sa-the-2021-municipal-elections-and-beyond-20211229>

Fakir, E. (2021d, May 5). Why we need electoral reform and what it might look like? *Polity*. <https://www.polity.org.za/article/why-we-need-electoral-reform-and-what-it-might-look-like-2021-05-04>

- Fakir, E. (2023). *Democracy and constitutionalism: Civic education conference report & keywords*. Section 27, Constitutional Hill, & CASAC. <https://section27.org.za/wp-content/uploads/2023/11/Democracy-ReportFINAL-PAGESDIGITAL.pdf>
- Fakir, E. (2025a). Democracy and participation: Crisis in representative democracy! But what about the problem of politics? In Steytler, N. (Ed.), *Mont Fleur Conversations II. The development of democracy; and democracy and development* (pp. 9–20). University of the Western Cape & Dullah Omar Institute. <https://dullahomarinstitute.org.za/multilevel-govt/sarchi/sarchi>
- Fakir, E. (2025b, October 29). IEC delivers democratic elections; SA society, parties undermine democracy. *News24*. <https://www.news24.com/opinions/analysis/ebrahim-fakir-iec-delivers-democratic-elections-sa-society-parties-undermine-democracy-20251028-0665>
- Fakir, E., & Holland, W. (2011). Changing voting patterns? *Journal of Public Administration*, 46(3.1), 1139–1152.
- Fakir, E., & Sarakinsky, I. (2019, January 27). What lies ahead for a state so grubbily captured. *Sunday Times*. <https://www.timeslive.co.za/sunday-times/opinion-and-analysis/2019-01-27-what-lies-ahead-for-a-state-so-thoroughly-grubbily-captured/>
- February, J. (2006). *Parliament and its oversight role*. HSRC Press.
- Gabriel, M. (2009). *EU Election Expert Mission to South Africa: Final report* (Report no. 2009/202498). EU Election Expert Mission to South Africa. https://eeas.europa.eu/archives/eueom/pdf/missions/microsoftword-finalreport_electionmissiontosouthafrica_28sep.pdf
- Hartzenberg, T. (2005). Competition policy and practice in South Africa: Promoting competition for development. *Northwestern Journal of International Law and Business*, 26(3), Article 667. <https://scholarlycommons.law.northwestern.edu/njilb/vol26/iss3/32/>
- Human Sciences Research Council. (2023). *South African Attitudes Survey (SASAS)*. <https://hsrc.ac.za/news/social-cohesion/sasas-charting-sa-attitudes-over-two-decades/>
- Independent Electoral Commission. (2000). *Report municipal elections, 5 December 2000*. <https://www.elections.org.za/pw/Downloads/Documents-Municipal-Election-Reports>
- Independent Electoral Commission. (2004). *IEC report on the national and provincial elections, 14 April 2004*. <https://www.elections.org.za/pw/Downloads/Documents-Library-Annual-Reports-IEC>
- Independent Electoral Commission. (2014). *Results reports: Voter turnout*. <https://results.elections.org.za/home/NPEPublicReports/291/Voter%20Turnout/National.pdf>
- Independent Electoral Commission. (2023). *Electoral Commission annual report: Ensuring Free and Fair Elections*. <https://www.elections.org.za/pw/Downloads/Documents-Library-Annual-Reports-IEC>

- Independent Electoral Commission. (2024). *Electoral Commission annual report 2024*. <https://www.elections.org.za/pw/Downloads/Documents-Library-Annual-Reports-IEC>
- Independent Electoral Commission, & South African National Council for the Blind. (2022). *Universal Ballot Template*. <https://www.elections.org.za/content/uploadedfiles/Universal%20Ballot%20Template.pdf>
- Jacobs, S. (2002). Remaking the Presidency: Co-ordination versus centralisation. *Indicator South Africa*, 19(1), 30–36. https://journals.co.za/doi/pdf/10.10520/AJA0259188X_1758
- Karwowski, E., Fine, B., & Ashman, S. (2018). Introduction to the special section ‘Financialization in South Africa’. *Competition & Change*, 22(4), 383–387. <https://doi.org/10.1177/1024529418791762>
- KwaZulu-Natal Christian Council. (2024). *2024 National and provincial election report domestic election observation mission*. <https://www.kzncc.org/2024-national-and-provincial-election-report-domestic-election-observation-mission/>
- Lekalake, R. (2016). *South Africa’s opposition narrows trust gap but still faces mixed perceptions of vision and role*. Afrobarometer Dispatch No. 88, Institute for Justice and Reconciliation. https://www.afrobarometer.org/wp-content/uploads/2022/02/ab_r6_dispatchno88_south_africa_opposition_parties.pdf
- Lefko-Everett, K. (2023). *SA Reconciliation Barometer*. Institute for Justice and Reconciliation. https://www.ijr.org.za/home/wp-content/uploads/2023/12/SA-Reconciliation-Barometer-2023_Final.pdf
- Lefko-Everett, K. (2025). *SA Reconciliation Barometer: 2025 Report*. Institute for Justice and Reconciliation. <https://www.ijr.org.za/home/wp-content/uploads/2025/12/SA-Reconciliation-Barometer-Report-2025.pdf>
- Leibbrandt, M., Woolard, I., Finn, A., & Argent, J. (2010). *Trends in South African income distribution and poverty since the fall of apartheid*. OECD Social, Employment and Migration Working Papers. No. 101. https://www.oecd.org/content/dam/oecd/en/publications/reports/2010/05/trends-in-south-african-income-distribution-and-poverty-since-the-fall-of-apartheid_g17a1d7a/5kmms0t7p1ms-en.pdf
- Levy, B., Hirsch, A., & Woolard, I. (2014). *South Africa’s evolving political settlement in comparative perspective*. Southern Africa Labour and Development Research Unit Working Paper No. 138. University of Cape Town.
- Lijphart, A. (1999). *Patterns of democracy: Government forms and performance in thirty-six countries*. Yale University Press.
- Lodge, T. (2009). The Zuma tsunami: South Africa’s succession politics. *Representation*, 45(2), 125–141. <https://doi.org/10.1080/00344890902944387>

- Lodge, T. (2014). Neo-patrimonial politics in the ANC. *African Affairs*, 113(450), 1–23.
<http://www.jstor.org/stable/43817286>
- Madonsela, T. N. (2014). *Secure in comfort: Report on an investigation into allegations of impropriety and unethical conduct relating to the installation and implementation of security measures by the Department of Public Works at and in respect of the private residence of President Jacob Zuma at Nkandla in the KwaZulu-Natal Province*. Public Protector South Africa.
- Maphunye, K. (2019). Credible but flawed: The management of the elections. In C. Schulz-Herzenberg & R. Southall (Eds.), *Change and Stability in South Africa's democracy*. Jacana Media.
- Mapungubwe Institute for Strategic Reflection. (2019). *Voting trends 25 years into democracy: Analysis of South Africa's 2019 election* (S. Booysen, Ed.). <https://mistra.org.za/wp-content/uploads/2019/10/Elections-Report.pdf>
- Marais, H. (2001). *South Africa: Limits to change: The political economy of transition*. Palgrave Macmillan.
- Maserumule, M. H. (2023, May 30). South Africa has changed its electoral law, but a much more serious overhaul is needed. *The Conversation*. <https://theconversation.com/south-africa-has-changed-its-electoral-law-but-a-much-more-serious-overhaul-is-needed-204820>
- Matamba, R., & Thobela, C. (2024). *The politics of murder: Criminal governance and targeted killings in South Africa*. Global Initiative Against Transnational Organized Crime.
- Mbete, S. (2024). Making sense of voter turnout in the 2024 South African national and provincial elections. *Journal of African Elections*, 23(2), 117–149.
<https://www.eisa.org/storage/2024/12/2024-journal-of-african-elections-v23n2-voter-turnout-elections-eisa.pdf>
- Modiri, J. M. (2018). Introduction to special issue: Conquest, constitutionalism and democratic contestations. *South African Journal on Human Rights*, 34(3), 295–299.
<https://doi.org/10.1080/02587203.2018.1552415>
- Moerane Commission of Enquiry. (2018). *Report of the Moerane Commission of Enquiry into the underlying causes of the murder of politicians in KwaZulu-Natal*. KwaZulu-Natal Provincial Government. <https://www.kznonline.gov.za/images/Downloads/Publications/MOERANE%20COMMISSION%20OF%20INQUIRY%20REPORT.pdf>
- Moosa, M., & Hofmeyr, J. (2021). *South Africans' trust in institutions and representatives reaches new low*. Afrobarometer Dispatch No. 474. Afrobarometer & Institute for Justice and Reconciliation. https://www.afrobarometer.org/wp-content/uploads/2022/02/ad474-south_africans_trust_in_institutions_reaches_new_low-afrobarometer-20aug21.pdf

- Mpako, A. (2025, September 18). Young Africans are speaking. Are African policy makers listening? *The IJR Lens on Africa*. https://www.ijr.org.za/home/wp-content/uploads/2025/03/The-IJR-Lens-on-Africa_18-September-2025.pdf
- Mpako, A. & Ndoma, S. (2025). *South African youth see government as failing on job creation, look to public sector for work*. Afrobarometer Dispatch No. 1068. Afrobarometer & Institute for Justice and Reconciliation. <https://www.afrobarometer.org/wp-content/uploads/2025/10/AD1068-South-Africa-youth-see-government-as-failing-on-job-creation-Afrobarometer-31oct25.pdf>
- Paret, M. (2025). South Africa's volatile electorate: Changing bases of party support in 2014, 2016, and 2019. *Journal of Contemporary African Studies*, 43(1), 124–141. <https://doi.org/10.1080/02589001.2025.2474390>
- Paret, M., & Bekker M. (2021). *Voter fluidity in the 2021 local government elections: Evidence from five metropolitan municipalities*. Konrad Adenauer Stiftung, Centre for Social Change and University of Johannesburg. <https://www.kas.de/documents/261596/261648/Voter+trajectory.pdf/087d965b-dcb8-b616-8479-3d92a1f797be?version=1.0&t=1638359034785>
- Paret, M., & Runciman, C. (2023). Voting decisions and racialized fluidity in South Africa's metropolitan municipalities. *African Affairs*, 122(487), 269–298. <https://doi.org/10.1093/afraf/adad010>
- Parliament of the Republic of South Africa. (2022, May 4). *Media statement: Home Affairs Committee concerned by impact of budget cuts on IEC operations*. <https://www.parliament.gov.za/press-releases/media-statement-home-affairs-committee-concerned-impact-budget-cuts-iec-operations>
- Planact. (2024). *Planact's report on the national and provincial election observation in South Africa, 2024*. <https://planact.org.za/wp-content/uploads/2025/05/Planacts-Observer-Report-on-the-National-and-Provincial-Elections-2024.pdf>
- Portfolio Committee on Home Affairs. (2022). *Media statement: Committee concerned by impact of budget cuts on IEC operations*. Parliament of the Republic of South Africa [Press Release, 4 May]. <https://www.parliament.gov.za/press-releases/media-statement-home-affairs-committee-concerned-impact-budget-cuts-iec-operations>
- Portfolio Committee on Home Affairs. (2025a, July 15). *National and provincial election report and related matters: IEC briefing (with Deputy Minister)*. Parliamentary Monitoring Group. <https://pmg.org.za/committee-meeting/41281/>
- Portfolio Committee on Home Affairs. (2025b, September 16). *Portfolio Committee on Home Affairs: Report on the 2024 national and provincial elections*. Independent Electoral Commission. <https://pmg.org.za/tailed-committee-report/6307/>

- Potgieter, E. (2017, December 12). According to South Africans, what [still] divides us? *Institute for Justice and Reconciliation*. <https://www.ijr.org.za/2017/12/according-to-south-africans-what-still-divides-us/>
- Potgieter, E., & Fakir, E. (2016). *Tshwane burning: The ANC and opposition support in the capital – Is 2016 a turning point?* Electoral Institute for Sustainable Democracy in Africa. <https://www.eisa.org.za/eu/eu2016tshwane.htm>
- Przeworski, A., Alvarez, M. E., Cheibub, J. A., & Limongi, F. (2000). *Democracy and development: Political institutions and well-being in the world, 1950–1990*. Cambridge University Press.
- Schulz-Herzenberg, C. (2022). The 2021 municipal elections: Rise of the volatile voter or disaffected citizen? *Politikon*, 49(4), 318–336. <https://doi.org/10.1080/02589346.2022.2151690>
- Sekamogeng, N., & Egbude, C. B. (2024). Votes, voices and views. *Journal of African Elections*, 23, 150–166. https://hdl.handle.net/10520/ejc-eisa_jae_v23_n2_a8
- Shahaboonin, F., David, O. O., & Van Wyk, A. (2023). Historic spatial inequality and poverty along racial lines in South Africa. *International Journal of Economics and Financial Issues*, 13(1), 102–111. <https://doi.org/10.32479/ijefi.13803>
- Shaw, M., & Reitano, T. (2019). Organized crime and criminal networks in Africa. In E. Hannah (Ed.), *Oxford Research Encyclopedia of Politics*. <https://doi.org/10.1093/acrefore/9780190228637.013.742>
- South African Government. (2019, May 16). *Final report of Stats-SA points to negligible potential of double voting*. <https://www.gov.za/news/media-statements/electoral-commission-report-statistician-general-revealing-negligible-risks>
- Southern African Development Community Electoral Observation Mission. (2024). *Preliminary statement of the SADC Electoral Observation Mission (SEOM) to the 2024 national and provincial elections of the Republic of South Africa*. <https://www.sadc.int/sites/default/files/2024-05/SEOM%20RELEASE%20PRELIMINARY%20STATEMENT%20FOR%20RSA%202024%20ELECTION.doc.pdf>
- Southern African Development Community Parliamentary Forum. (2004). *Election observation mission report: South Africa 2004: National and provincial elections*. SADC Parliamentary Forum.
- Southall, R. (2018). The case for sortition: Tackling the limitations of democracy in South Africa. *Politikon*, 45(2), 245–260.
- Statistics South Africa. (2003). *Census 2001: Census in brief* (Report No. 03-02-03). <https://www.datafirst.uct.ac.za/dataportal/index.php/catalog/SAPCS/?page=1&ps=15&repo=SAPCS>

- Statistics South Africa. (2016). *South Africa Demographic and Health Survey 2016: Key indicator report*. <https://www.statssa.gov.za/publications/Report%2003-00-09/Report%2003-00-092016.pdf>
- Statistics South Africa. (2019). *Inequality trends in South Africa: A multidimensional diagnostic of inequality*. <https://www.statssa.gov.za/publications/Report-03-10-19/Report-03-10-192017.pdf>
- Statistics South Africa. (2021). *General Household Survey 2020*. Statistical Release P0318. <https://www.statssa.gov.za/publications/P0318/P03182020.pdf>
- Statistics South Africa. (2023a). *Census 2022*. Statistical Release P0301.4. https://census.statssa.gov.za/assets/documents/2022/P03014_Census_2022_Statistical_Release.pdf
- Statistics South Africa. (2023b). *Income and Expenditure Survey (IES) 2022/2023* [Media Release, 28 January 2025]. <https://www.statssa.gov.za/?p=17995>
- Statistics South Africa. (2024a). *Income and expenditure of households 2022/2023*. Statistical Release P0100. <https://www.statssa.gov.za/publications/P0100/P01002022.pdf>
- Statistics South Africa. (2024b). *General Household Survey 2023*. Statistical Release No. P0318. <https://www.statssa.gov.za/publications/P0318/P03182023.pdf>
- Statistics South Africa. (2024c). *Quarterly Labour Force Survey 2024*. Statistical Release P02011. <https://www.statssa.gov.za/publications/P0211/P02111stQuarter2024.pdf>
- Statistics South Africa. (2025). *General Household Survey 2024*. Statistical Release P0318. <https://www.statssa.gov.za/publications/P0318/P03182024.pdf>
- United Nations Department of Economic and Social Affairs. (n.d.). *Article 29: Participation in political and public life*. <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/article-29-participation-in-political-and-public-life.html>
- World Bank. (2024). *Poverty & equity data portal*. <https://povertydata.worldbank.org/Poverty/Home>
- World Population Review. (n.d.). *Gini coefficient by country*. <https://worldpopulationreview.com/country-rankings/gini-coefficient-by-country>

Chapter 2:

Politics, Elections, and Democratic Governance in Kenya: Inclusion, Representation, Trust, and Confidence – A Review of the Nexus, Past and Present

Examining the Intersections of Legitimacy, Participation, and Stability in Kenya's Democratic Trajectory (1992–2024)

Magdalena Ndindi Kieti

Abstract

This paper examines how inclusion, representation, and institutional trust shape electoral stability in Kenya's evolving democracy. Spanning the period from 1992 to 2024, it situates Kenya's political trajectory within the contexts of postcolonial state formation, elite bargaining, and constitutional reform. The paper argues that while successive reforms, especially the 2010 Constitution, have expanded representation and improved procedural integrity, persistent inequality and patronage politics permeating government processes continue to undermine substantive inclusion. Ultimately, the study contends that Kenya's democratic stability depends on aligning credible electoral processes with equitable governance outcomes that foster fairness, accountability, and social trust.

1 The Historical Trajectory of Kenya's Democratic Elections

1.1 Elections and Process of Democratisation

While it has been established that elections are not the only contributing factor to democratisation, there is no denying that they are a critical aspect of a democratic system. Matlosa et al. (2007, p. 80) argue that although democratisation is widely acknowledged as a complex and multifaceted process, with democratic consolidation being even more so, credible elections remain a necessary precondition for the existence of democracy and democratisation. This highlights the importance of electoral quality in meaningfully contributing to the democratisation process. Electoral quality, often used interchangeably with electoral integrity, refers to the degree of freeness and fairness of elections (Alemika, 2007, p. 2). In his writing on transitions to democracies in Africa, Brown (2004, p. 326) underscores the centrality of free and fair elections, observing that "If one adopts a minimalist or procedural definition of democracy, whether a given transition is to democracy (as opposed to another authoritarian regime or something in between) depends on whether the elections in which the new elites were selected were free and fair". At a minimum, for elections to meaningfully contribute to democracy, they should be held regularly, allow for free and fair competition among contestants, and enable decision-making by voters.

Conversely, elections may lead to conflict and political violence due to acute socio-economic inequality, politicised ethnicity, and religious or racial diversity. In other instances, they may trigger violent conflicts because of deep-seated political tensions, with adverse repercussions for peace, security, and political stability (African Union, 2009, p. 30). Kenya's experience exemplifies both possibilities, as elections have periodically advanced democratic renewal but, at critical junctures, have also become flashpoints for deep conflict and instability.

1.2 Institutionalising Representation: The Evolution of Kenya's Electoral System

Kenya's electoral system was originally modelled on the Westminster framework inherited at independence. As Hassan (2010, pp. 3–4) notes, this system was not the product of an inclusive or participatory process, but rather an externally imposed arrangement that afforded limited opportunity for Kenyans to shape an electoral framework reflective of their own democratic aspirations. The adopted system was majoritarian, specifically the first-past-the-post model, which was entrenched in the Constitution of Kenya (1963), as amended, along with complementary electoral legislation.¹ Under this framework, presidential, parliamentary, and local government elections were held concurrently on the same day, with victory determined by a simple plurality, where the candidate receiving the highest number of valid votes was declared the winner.

However, for the presidential election, the system introduced additional thresholds beyond mere plurality, requiring candidates to meet specific distribution and regional representation criteria to ensure broader national legitimacy. First, the candidate was required to be elected concurrently as a member of the National Assembly. To be eligible for election to the National Assembly, an individual must be a Kenyan citizen, at least 21 years of age, duly registered as a voter in a constituency,² and nominated by a political party. Second, the presidential candidate had to attain at least 25% of the valid votes cast in at least five of the country's eight provinces to ensure broad geographic representation.

In instances where no candidate fulfilled both the plurality and provincial distribution thresholds, the Constitution required that a fresh election be held. This provision applied in both general election scenarios and midterm presidential vacancies. Only two candidates were eligible to participate in the subsequent election: the one with the highest number of votes in the initial poll and the candidate with the second-highest number. Although framed as a fresh election, this process functionally operated as a two-candidate run-off. However, a run-off election never materialised as all elections held under this system produced a clear winner in the first round.

¹ These were the National and Presidential Election Act (Chapter 7), the Election Offences Act (Chapter 66), and the Local Government Act (Chapter 265) of the laws of Kenya.

² Being registered as a voter required a person to be a citizen of Kenya who has attained the age of 18 years and met specific residency requirements according to articles 71(b), 72, and 73 of the Constitution.

1.2.1 Structural Flaws and Electoral Challenges Under the First-Past-The-Post Model

After three electoral cycles (1992, 1997, and 2002), several shortcomings in Kenya's electoral system became evident. Key issues identified included winner-takes-all dynamics that marginalised losing candidates and their supporters. The system disadvantaged smaller parties, thereby limiting political diversity and competition. Gerrymandering of constituencies by the governing party, which manipulated electoral boundaries to maintain power, was an inherent design flaw in the system. A lack of representation for constituencies such as women, the business community, and the labour movement excluded marginalised communities from representation and contributed to ethnic tensions and polarisation, which frequently escalated into electoral violence (Wanyande, 2001). Beyond these structural flaws, the presidency remained excessively powerful, with control over vast state resources and functions, including the appointment of the chair of the electoral management body. Control over such resources made the president Kenya's apex patron, the point of convergence for all networks of clientelism (Cheeseman et al., 2020).

1.2.2 Reform Pressures and Constitutional Change

The deficiencies in Kenya's electoral framework generated sustained demands for reform, culminating in major constitutional changes. Initial proposals emerged from two government-appointed bodies: the Constitution of Kenya Review Commission and the Harmonized Draft Constitution, both of which identified shortcomings in inclusivity, fairness, and representation. Following the 2007 post-election violence, the Independent Review Commission (2008) reaffirmed these concerns, underscoring the urgency of comprehensive electoral reform in the country.³

A review of an electoral system involves evaluating several factors that support democratic governance and stability. These factors include whether a country is sharply divided along political, religious, ethnic, or other lines, and whether minorities are properly and equitably represented in the political system (International IDEA, 2002, p. 23). They can also concern crucial values, which Blais (1991, p. 257) identifies as stability, leadership, accountability, fairness, legitimacy, order, responsiveness, and responsibility.

In Kenya's case, following an extensive review process and the adoption of the 2010 Constitution, the first-past-the-post system was retained. This lends credence to the assertion that electoral systems, once chosen, often remain fairly constant as political interests solidify around and respond to the incentives presented by them (International IDEA, 2005, p. 4). The first-past-the-post framework governs the election of the president, 290 members of the National Assembly,

³ The Independent Review Commission was an international commission of inquiry established by the Government of Kenya following the 2007 elections to inquire into all aspects of the elections, with particular emphasis on the presidential elections.

47 county women representatives, 47 senators, 47 governors, and 1 450 members of county assemblies (MCAs).

Nevertheless, proportional representation was partially introduced through party lists to enhance inclusivity at both the national and county levels.⁴ For example, the National Assembly was expanded to include twelve nominated members representing women, youth, and persons with disabilities, while the Senate incorporated sixteen nominated members (primarily women) to promote gender balance. At the county level, closed party lists are used to ensure compliance with the two-thirds gender principle and to facilitate the representation of marginalised groups. Importantly, these proportional representation seats are allocated in proportion to each party's performance in first-past-the-post contests, making proportional representation a complementary feature of Kenya's predominantly majoritarian electoral system. In other words, the proportional distribution of reserved, or set-aside seats is derived from the parties performance in first-past-the-post-elections, rather than through a separate ballot.

The reformed system also introduced measures to moderate the winner-takes-all dynamic. Presidential candidates must secure an absolute majority (50% plus one vote) and receive at least 25% of the votes in 24 out of 47 counties, ensuring broad-based support beyond ethnic strongholds. The Constitution limits the number of constituencies to 290 to mitigate the risk of gerrymandering. Population quotas were introduced as the basis for boundary delimitation, promoting fairer representation. More broadly, the Constitution enshrines principles that guide the electoral system, including equality, inclusivity, and accountability.⁵

Additional reforms extended beyond the electoral system itself. These included the establishment of a fixed election date, devolution through the creation of 47 counties, provisions for independent candidates, and judicial reforms that removed presidential influence over judicial appointments. The creation of the Supreme Court to arbitrate presidential petitions strengthened judicial oversight, while the establishment of an independent electoral commission bolstered institutional credibility. Collectively, these reforms sought to reduce the stakes of presidential elections, dilute excessive presidential authority, and encourage multi-ethnic alliances and more inclusive political campaigns (Ghai, in Cheeseman et al., 2020).

The legitimacy and acceptance of election outcomes are closely tied to the electoral system in place (Bogaards, 2014; Bratton & Van de Walle, 1997). This relationship was tested across three electoral cycles (2013, 2017, and 2022) under the 2010 Constitution. Comparisons with pre-2010 elections indicate a decline in election-related violence, attributable in large part to growing

⁴This was specifically to remedy the limitations of a purely majoritarian system and enhance the participation of women, youth, persons with disabilities, and marginalised groups.

⁵ Key principles are provided for under Article 81 of the 2010 Constitution of Kenya. They include freedom of citizens to exercise their political rights; gender equality; fair representation of persons with disabilities; universal suffrage based on the aspiration for fair representation and equality of vote; and free and fair elections, which are by secret ballot; free from violence, intimidation, improper influence, or corruption; conducted by an independent body; transparent; and administered in an impartial, neutral, efficient, accurate and accountable manner.

public confidence in electoral institutions, particularly the Judiciary. Judicial credibility allows aggrieved parties to channel disputes through a trusted and independent adjudication system. Consistent with this, Otieno et al. (2023, p. 167) concluded in their evaluation of Kenya's electoral system that most Kenyan voters believe the framework supports free and fair elections, protects voting rights, and ensures equal representation. The system is also viewed as facilitating impartial voting processes and providing effective mechanisms for resolving electoral disputes.

Nevertheless, significant deficiencies persist. Most notably, the reforms have not adequately addressed the challenges posed by ethnicity and political polarisation. Although the 2010 Constitution introduced important measures to broaden inclusion, including the proportional allocation of twelve National Assembly seats to representatives of special interests and sixteen Senate seats to women, these provisions remain limited in their capacity to secure the effective political participation of minority groups. This is because the framework does not directly provide for ethnic or racial representation (O'Loughlin, 2017, p. 847). Consequently, while these reforms represent important progress towards a more inclusive political system, they do not fully address the exclusion and underrepresentation associated with Kenya's ethnic and racial diversity. In addition, although the two-thirds gender principle has been implemented in appointive positions within county assemblies, no parallel mechanism exists to ensure compliance in the National Assembly and Senate. Moreover, the limited national appeal of political parties is evident in the formation of coalitions shaped primarily by ethnic and regional considerations in pursuit of office, rather than by coherent ideological commitments or policy-driven platforms.

1.3 Synopsis of Elections (2002–2022): Patterns and Inflection Points

1.3.1 Cementing Electoral Culture: From One-Party Dominance to Competitive Alternation

The pre-independence elections of 1961 and 1963, organised under British oversight, introduced competitive party politics largely shaped by ethnic alignments between the Kenya African National Union (KANU) and the Kenya African Democratic Union. KANU's victory cemented its post-independence dominance. In the post-independence period (1969–1991), Kenya's electoral processes operated within an increasingly restrictive political environment, initially characterised by a *de facto* one-party framework between 1969 and 1982. During this era, opposition parties were progressively co-opted, marginalised, or suppressed, enabling KANU to consolidate its dominance and effectively monopolise the political arena. This consolidation was formalised in 1982 through the Constitution of Kenya (Amendment) Act No. 7, which introduced Section 2A and transformed Kenya from a *de facto* to a *de jure* one-party state by legally recognising KANU as the sole authorised political party. Under this constitutional order (1982–1991), KANU remained the only legal party permitted to operate. During this period, presidential contests were uncontested, while parliamentary and local elections were reduced to party primaries. The presidency exercised sweeping powers, reinforced by systematic constitutional amendments and practices (Sihanya, 2011, p.5), that entrenched incumbency and privileged ethnic allies. This facilitated executive interference in candidate selection and election

management, leading to widespread irregularities. The repeal of Section 2A of the Constitution in 1991 restored multiparty competition, resulting in seven general elections between 1992 and 2022.

The first multiparty elections of the 1990s (1992 and 1997) were high-stakes contests that pitted President Daniel arap Moi of KANU against a fragmented opposition, including Oginga Odinga's Forum for the Restoration of Democracy (FORD) Kenya and Kenneth Matiba's FORD-Asili in 1992, and Mwai Kibaki of the Democratic Party (DP) and Raila Odinga of the National Development Party (NDP) in 1997. In both elections, Moi secured victory, garnering 37% of the vote in 1992 and 40% in 1997.⁶

Parliamentary results reflected similar dynamics, with KANU retaining dominance, which narrowed in 1997 signalling growing pressure on KANU. Both elections, marked by violence, repression, misuse of state resources, and systemic malpractice, fell short of international democratic standards (Harneit-Sievers & Peters, 2008, p. 133). Petitions filed against Moi's victories in both elections were dismissed on procedural grounds. The aftermath of the 1997 elections led to Moi's tactical cooperation with Raila Odinga's NDP, which had come third in the race. The alliance was motivated by KANU's lack of a parliamentary majority and the need to consolidate legislative control while addressing internal dissent. The partnership not only stabilised Moi's administration but also marked a significant ethnic realignment by bringing together the Luo and Kalenjin communities in a rare political alliance.

1.3.2 *Coalition-Building and Ethnic Realignments (2002–2022)*

With the 2002 elections marking a major political transition and the end of President Moi's tenure, both the ruling party and the opposition drew critical lessons from past electoral experiences.⁷ For KANU, it became evident that retaining power would require strategic recalibration and better preparation. Conversely, the opposition came to understand that internal divisions had significantly undermined their chances of victory, highlighting the necessity of unity. These insights catalysed a new era of political cooperation and realignment, laying the foundation for the formation of pre- and post-election alliances that would shape Kenya's political landscape in subsequent years.

Accordingly, in early 2002, the cooperation between KANU and the NDP was formalised through a merger that led to the dissolution of the NDP and its full integration into KANU. This merger prompted a significant reorganisation within the party to accommodate emerging political interests. Raila Odinga, along with several other NDP members, was appointed to the Cabinet,

⁶ In the 1992 elections, Daniel arap Moi's closest rival Kenneth Matiba of FORD-Asili had 26.8%, followed by Mwai Kibaki of the DP with 20%, and Raila Odinga of FORD-Kenya with 17.7%. In the 1997 elections, Kibaki of the DP came in second with 30.97%, followed by Raila Odinga of the NDP with 10.82%, and Michael Wamalwa of FORD-Kenya with 8.19%. The only female candidate, Charity Ngilu, garnered 7.91% of the total votes.

⁷ Having served his two consecutive five-year terms, following the 1992 constitutional amendments, Moi was constitutionally barred from seeking another term.

reflecting the new power-sharing arrangement. The party's leadership structure was also revamped to reflect the expanded coalition and guarantee ethnic representation.⁸ Despite these changes, the merger proved short-lived due to succession tensions triggered by President Moi's unilateral endorsement of Uhuru Kenyatta, son of Kenya's founding president, Jomo Kenyatta, as KANU's presidential candidate.

This decision sparked dissent among more established party members, including Raila Odinga, Kalonzo Musyoka, Musalia Mudavadi, and Vice President George Saitoti, all of whom viewed themselves as legitimate contenders for Moi's succession. Opposing Moi's decision, they formed the Rainbow Alliance, initially a faction within KANU. However, by October 2002, the group formally exited KANU to join the Liberal Democratic Party, which they used as their new political vehicle. Simultaneously, Mwai Kibaki, leader of the DP, entered into a strategic alliance with Kijana Wamalwa of FORD–Kenya, Charity Ngilu of the National Party of Kenya, and several smaller parties, resulting in the formation of the National Alliance for Change. The eventual merger between the National Alliance for Change and the Liberal Democratic Party produced the National Rainbow Coalition (NARC), uniting reformists and conservatives under one platform (Cheeseman et al., 2020, p. 82).⁹ This coalition was anchored not in ideological compatibility but in the strategic objective of ending KANU's four-decade dominance and preventing the succession of Moi's preferred candidate.

NARC's cross-ethnic and ideologically inclusive alliance delivered a decisive victory for Mwai Kibaki, ending KANU's 39-year dominance. The coalition secured 62.2% of the vote compared to KANU's 31%, gaining a parliamentary majority. Beyond the opposition's unity, the success of the election also extended to the general populace. As Oucho (2008, p. 524) notes, the only time political zones disappeared was in 2002 when NARC engulfed Kenya in a euphoria reminiscent of KANU at independence. The coalition's momentum was further bolstered by widespread public dissatisfaction with KANU's nearly four decades of rule, which galvanised voter support for regime change. The elections were markedly peaceful and credible, with minimal incidents of violence or manipulation compared to previous polls.

1.3.3 *The 2007 Crisis and the Institutionalisation of Power-Sharing*

The 2007 elections were characterised by the fragmentation of NARC and the emergence of a reconfigured opposition landscape. Specifically, the NARC was plagued by internal divisions over the distribution of power and the direction of constitutional reform, especially after

⁸ President Moi retained his position as KANU party leader, while Raila Odinga assumed the role of secretary-general. To further balance regional and ethnic representation, four vice-chairmanship positions were created and allocated as follows: Uhuru Kenyatta (Agikuyu), Kalonzo Musyoka (Akamba), Musalia Mudavadi (Abaluhya), and Katana Ngala (coastal communities).

⁹ The reformists consisted of actors, politicians, civil society leaders, and parties advocating for far-reaching political and constitutional transformation in the post-Moi period, represented in this context by the Liberal Democratic Party wing. In contrast, the conservatives were political elites who preferred incremental reforms and prioritised the preservation of existing power structures, embodied here by the National Alliance for Change and Kibaki wing.

President Kibaki reneged on a memorandum of understanding that promised executive power-sharing.¹⁰ The main candidates, therefore, contested under new outfits. The incumbent, Mwai Kibaki, formed and contested under the Party of National Unity (PNU), which included some of the political parties that had previously formed the NARC and incorporated KANU; ironically, the former ruling party that was then part of the opposition.¹¹ This arrangement united the Kikuyu bloc (Harneit-Sievers & Peters, 2008, p. 135) and aimed to consolidate the Mount Kenya vote.

Raila Odinga, on the other hand, contested under the newly formed Orange Democratic Movement (ODM) party which mobilised a broad coalition of reformist and marginalised groups opposing the government's constitutional agenda. The coalition was, however, complicated by elite competition, which soon led to a split, resulting in two factions of ODM and ODM Kenya. Raila's ODM brought together a powerful ethno-regional coalition of political elites. Musalia Mudavadi, William Ruto, Najib Balala, and Joseph Nyagah represented the Western, Rift Valley, Coastal, and Eastern regions, respectively.¹² ODM Kenya, led by Kalonzo Musyoka, was a regional bloc centred in the Eastern region. Although the coalitions adopted national labels, their support bases remained regionally and ethnically concentrated, reinforcing rather than diminishing identity politics.

The tightly contested race among PNU, ODM, and ODM Kenya ended in a standoff between PNU and ODM. It was marked by allegations of electoral fraud and widespread ethnic violence that claimed approximately 1 500 lives and displaced over 600 000 people. The elections were widely discredited by both local and international observers, as well as by civil society organisations. The ODM did not file a legal petition to challenge the results, citing a lack of trust in the Judiciary, likely reflecting what Cheeseman et al. (2020) refer to as the perceived government stacking of the Judiciary. The ensuing political impasse was resolved through mediation led by former United Nations Secretary-General Kofi Annan. The mediation culminated in a power-sharing agreement that established the Government of National Unity (GNU), with Mwai Kibaki as president, Raila Odinga as prime minister, and Kalonzo Musyoka as vice president. This introduced coalition governance as a mechanism for conflict resolution.

To address the root causes of the violence that brought Kenya to the brink of civil war, two significant commissions were established: the Independent Review Commission, tasked with investigating the conduct of the election,¹³ and the Commission of Inquiry into the Post-Election

¹⁰ The tensions culminated in the 2005 constitutional referendum during which the government's draft constitution, perceived as diluted and self-serving, was rejected by a significant majority. The referendum campaign saw the emergence of the Orange Democratic Movement, named after the orange symbol used to represent the 'No' vote.

¹¹ In the lead-up to Kenya's December 2007 presidential election, Uhuru Kenyatta of KANU initially announced his intention to contest but subsequently withdrew his candidacy, opting to endorse incumbent President Mwai Kibaki.

¹² They were popularly referred to as the Pentagon.

¹³ It was commonly referred to as the Kriegler Commission, named after its chair, Johan Kriegler, a retired South African judge.

Violence (CIPEV), which examined the causes and extent of the violence.¹⁴ The Independent Review Commission made recommendations for reforms to Kenya's electoral system, while CIPEV called for the creation of a tribunal to prosecute those responsible for the violence (Republic of Kenya, 2008).¹⁵ When the government failed to act on these recommendations, the evidence was handed over to the International Criminal Court (ICC), which took up the case. Indeed, it was this recognition of organised violence and a culture of impunity that ultimately led the ICC to investigate the 2007 post-election violence and the prosecutor's decision to subsequently indict six Kenyans¹⁶ (Mutahi & Ruteere, 2019, p. 3).

These events shaped the political landscape leading up to the 2013 elections. It is important to note that the government delivered a new constitution in 2010, which aimed to address past injustices and restructure governance to prevent future crises.

1.3.4 *Electoral Continuity and Contestation: The 2013, 2017, and 2022 Elections*

The 2013 elections were the first to be held under the 2010 Constitution. As such, they were the first to be conducted by the new Election Management Body (EMB), the Independent Electoral and Boundaries Commission (IEBC), and within the context of the new electoral reforms. Compared to its predecessor, the Electoral Commission of Kenya (ECK), the IEBC is designed to be substantially more insulated from political interference. It enjoys explicit constitutional guarantees of autonomy under Articles 88 and 249. IEBC commissioners are appointed through a multi-actor selection and parliamentary approval process that bars recent party officials and is supported by secure tenure and stringent removal safeguards under Articles 250 and 251. The commission's financial and administrative independence is further reinforced by constitutional budgetary safeguards, while its expanded mandate transfers functions previously vulnerable to executive manipulation to the IEBC as a formally neutral constitutional body. Collectively, these design features mark a substantial departure from the ECK era, when presidential control over appointments, resource dependence, and executive influence over boundary delimitation severely undermined electoral independence.

With President Kibaki's exit due to term limits, the contest was primarily between Uhuru Kenyatta and Raila Odinga, who led new political alliances. Uhuru Kenyatta (The National Alliance) and William Ruto (United Republican Party) formed the Jubilee Alliance, uniting the historically rival Kikuyu and Kalenjin blocs under a pragmatic alliance shaped by shared ICC indictments related to the post-election violence from 2007 to 2008. This alliance was not only a strategic electoral move but also served to defuse ethnic tensions that had previously fuelled conflict. In contrast,

¹⁴ It was dubbed the Wako Commission, named after its chair, Judge Phillip Wako.

¹⁵ The names were provided to the government and included key political players and stakeholders.

¹⁶ Commonly referred to as the Ocampo Six, these were Uhuru Muigai Kenyatta, then deputy prime minister and minister of Finance, William Samoei Ruto, then member of Parliament and minister of Higher Education, Francis Kirimi Muthaura, head of the Public Service and secretary to the Cabinet, Henry Kiprono Kosgey, then minister of Industrialization, Mohammed Hussein Ali, then police commissioner, and Joshua arap Sang, a radio journalist at Kass FM.

Raila Odinga's Coalition for Reforms and Democracy brought together his party, the ODM, Wiper (led by Kalonzo Musyoka) and FORD–Kenya (led by Moses Wetang'ula), maintaining strong support in Luo Nyanza, Western, and Coastal regions. In the largely peaceful elections, Kenyatta narrowly won with 50.07% of the vote. Odinga challenged the results before the newly established Supreme Court, which upheld the IEBC's decision.

In the 2017 general elections, the principal contenders largely retained their previous political alliances, albeit in a slightly altered form. The incumbent president, Uhuru Kenyatta, contested under the Jubilee Party, which was the formal successor to the Jubilee Alliance that had propelled him to victory in 2013. His chief rival, Raila Odinga, was the presidential candidate for the National Super Alliance (NASA), a broad-based coalition that evolved from the Coalition for Reforms and Democracy, which had fronted his 2013 bid. NASA expanded the opposition's political reach by incorporating new affiliates, Musalia Mudavadi's Amani National Congress (ANC) and Isaac Ruto's Chama Cha Mashinani.

Kenyatta won with 54.27% against Odinga's 44.74%. However, the election was nullified by the Supreme Court, a first in Africa, due to procedural irregularities, prompting a repeat election that Odinga boycotted after NASA's demands for reforms were unmet. This time, Kenyatta won with 98% amid low turnout (38%) and localised violence in opposition strongholds, especially in Nyanza, where police clashed with protesters. While NASA rejected the election results, it chose not to challenge them in court. However, following a petition by civil society, the Supreme Court upheld the validity of the fresh election, affirming Uhuru Kenyatta's victory. Refusing to recognise Uhuru Kenyatta's presidency, the opposition proposed the creation of a parallel government and called for an economic boycott of companies allegedly complicit in Kenyatta's victory. In a dramatic move, Raila Odinga staged a symbolic swearing-in ceremony as the 'People's President' on 30 January 2018.

The heightened political tensions were defused through a reconciliatory handshake deal between President Uhuru Kenyatta and Odinga on 9 March 2018. Besides diffusing the tensions, the reconciliation paved the way for a bipartisan reform process called the Building Bridges Initiative, which aimed to address governance and electoral reforms. However, public opinion on the handshake and the Building Bridges Initiative was mixed. According to a public perception survey, while 69% of Kenyans supported the handshake as a means of promoting peace and stability, only 48% were aware of the Building Bridges Initiative, and just 44% approved of it. Additionally, only 41% supported constitutional amendments, with critics citing a lack of necessity, misuse of public resources, and a focus on political elites rather than citizens' needs (FHI360, 2019). Although the Building Bridges Initiative process was ultimately nullified by the Supreme Court on both constitutional and procedural grounds, it fractured existing alliances, pitting Uhuru and Raila against Deputy President Ruto and thereby setting the stage for the 2022 realignment.

The 2022 general elections in Kenya unfolded within a highly competitive political landscape marked by significant realignments. Following the conclusion of President Uhuru Kenyatta's

second and final term, his deputy, William Ruto, entered the presidential race, facing off against Raila Odinga, who was making his fifth attempt at the presidency. Ruto contested under the Kenya Kwanza Alliance, a coalition led by his United Democratic Alliance (UDA) party, which he founded in 2020 after a political fallout with President Kenyatta, along with other parties.¹⁷ His rival, Raila Odinga, ran under the Azimio la Umoja–One Kenya Coalition, an alliance comprising his ODM, President Kenyatta’s Jubilee Party, Kalonzo Musyoka’s Wiper Party, and several other affiliated parties.

For the first time since 1992, no presidential front runner hailed from the Kikuyu community, though both chose Kikuyu running mates to appeal to the Mount Kenya bloc. Ruto’s Hustler vs Dynasty campaign reframed politics around class and economic justice rather than ethnicity. The election was largely peaceful, with Ruto narrowly winning by 50.49%, amid divisions within the IEBC, where commissioners publicly disagreed on the results. While Odinga petitioned the outcome, the Supreme Court upheld Ruto’s victory.

As in 2002, the country witnessed a peaceful transfer of power from a retiring president to a newly elected leader. The post-election period remained mostly calm, though opposition-led protests in 2023 over economic hardship and concerns about the shrinking democratic space reignited calls for dialogue, leading to the establishment of the National Dialogue Committee. In 2024, the widespread nature and intensity of the youth-led Generation Z (Gen Z) protests against the Finance Bill, corruption, economic inequality, and elite impunity redefined civic mobilisation beyond ethnic lines and triggered a new phase of elite coalition-building, as well as a cascade of political realignments and developments.

These developments included the withdrawal of the contested Finance Bill, the dissolution of the Cabinet, and the eventual formation of a broad-based government that incorporated members of Raila Odinga’s ODM into senior cabinet positions. Consistent with historical patterns of elite pact-making in Kenya, Odinga’s support in Parliament proved pivotal in reshaping the balance of power within the executive branch. His coalition’s backing was instrumental in securing the legislative majority required to impeach then Deputy President Rigathi Gachagua, thereby consolidating the new political alliance between President Ruto and Odinga. Gachagua’s removal from office followed the Senate’s decision to uphold the impeachment passed by the National Assembly, which affirmed five of the eleven charges brought against him. These charges included engaging in inflammatory and inciteful public utterances; undermining the independence of the Judiciary; committing gross violations of the Constitution; committing offences under the National Cohesion and Integration Act; and committing gross misconduct, notably through public attacks on the National Intelligence Service (Kiilu, 2024).

¹⁷ These included the Amani National Congress, FORD–Kenya, Chama Cha Kazi, Communist Party of Kenya, Devolution Party of Kenya, Democratic Party, Economic Freedom Party, Farmers Party, The Service Party, Umoja Maendeleo Party, and Ugenya People’s Development Party (Kalimi et al., 2024).

Kenya's electoral history reveals four defining features that have consistently shaped its political trajectory: elite-driven competition, ethnically based mobilisation, informal power-sharing arrangements, and electoral violence.

Elite pacts and coalition politics: Negotiated legitimacy and the politics of co-option

Each election cycle in Kenya has witnessed new political configurations built on opportunistic, patronage-driven elite alliances in which rivals and former adversaries readily realign, often out of political expediency rather than ideological alignment. Successive regimes have relied on such short-term alliances to navigate crises, preserve power, and stabilise elite competition. The Moi–Odinga cooperation (1998–2002) presaged the coalition politics that would later define the multiparty era – an alliance of pragmatic survival by KANU that temporarily bridged ethnic divides to reinforce parliamentary control. Since then, Kenya's political victories and stability have largely hinged on elite bargains that concentrate power within a narrow oligarchic circle rather than democratise power, ensuring the continuity of the ruling elite across successive regimes.

As one Electoral Institute for Sustainable Democracy in Africa (EISA) focus group discussion (FGD) participant aptly observed, the persistence of “negotiated democracy” and “post-election arrangements” reflects a deeper disjuncture between law and political behaviour:

There's a conflict between the political culture and the constitutional culture we have. They are not speaking to each other. The Constitution is way ahead of our political culture ... how long are we going to have these post-election arrangements? And we go to elections deliberately to make them flawed, so that we can have the post-election arrangements because the political and constitutional culture are not speaking to each other? [FG1-KE-1:01:09].

This sentiment underscores the perception that Kenya's political order is shaped not merely by institutions but also by informal power-sharing compacts that compensate for the failure of constitutionalism to align with prevailing political norms. Indeed, as another participant explained, such arrangements often cultivate a sense of elite accommodation that blurs the line between opposition and government:

You see, there is something called 'table manners'; when you are eating, you don't talk. And it is beautiful to eat from a government you did not vote for. So, you can see that some of the greatest defenders of this regime, over the past few years, were their worst critics. The sense of belonging sort of gives you this false sense of belief that you now are actively involved as it were [FG1-KE-2:22:49].

This metaphor captures the pragmatic acquiescence of former opponents within Kenya's evolving culture of elite pacts, where political inclusion is transactional rather than programmatic. The same pattern is reinforced by the ideological fluidity of political parties, which form and dissolve coalitions based on convenience rather than conviction. As one participant noted:

Most of our political parties are not ideologically grounded. You'll ask yourself, for example, why is ODM in a coalition with UDA? What really brings these parties together? Why did the ANC dissolve to join UDA? ... So, what I'm saying is that we have some sorts

of political marriages, even policy association, between different political parties, that are not based on any solid grounding because of political expedience of that point in time [FG1-KE-3:27:15 and 3:28:35].

Such insights from participants illuminate how Kenya's political alliances, whether in 2002 under NARC, in 2008 under the Grand Coalition, or in 2018 under the handshake, function less as mechanisms of democratic inclusion and more as vehicles for elite preservation. The recent 2024 Ruto–Odinga pact, formed in the wake of the Gen Z protests, extends this tradition of expedient alliances by incorporating opposition leaders into cabinet positions, thereby stabilising power while further eroding ideological distinction.

Ultimately, these perspectives reinforce that Kenya's electoral and governance culture remains deeply shaped by negotiated legitimacy – a form of political settlement that prioritises elite accommodation over constitutional fidelity and co-optation over accountability.

Ethnicity and political mobilisation: The enduring logic of numbers

Ethnicity has remained the principal axis of political mobilisation and elite negotiation in Kenya. Political leaders continue to mobilise voters primarily by appealing to ethnic identity and communal solidarity, often promising group-based access to state resources and benefits following electoral victories. As Franck and Rainer (2012, pp. 294–295) observed, political dominance can reinforce ethnic inequalities when groups controlling state power use their position to direct economic benefits and public resources towards their own members, thereby potentially entrenching patterns of inequality and exclusion. Their empirical analysis provides further evidence of widespread ethnic favouritism across sub-Saharan Africa, demonstrating that ethnic groups tend to experience improved educational and health outcomes when a co-ethnic holds national political leadership. Most importantly, ethnicity underpins coalition formation by assembling numerically significant ethnic blocs for electoral success rather than by advancing ideological or policy-based platforms. This is rooted in ethnic logic, or what Kenyans refer to as the tyranny of numbers, where political competition is structured around communal arithmetic. As a participant in the EISA FGDs aptly noted:

My addition to that is just to even look at how political parties are formed, because people would rather associate with political parties that are led by leaders from their ethnic community ... including even how the realignments are going on, how the post-election pacts are being formed, and that is largely to galvanise power. And the question that they normally ask is: "What are you bringing to the table?" And 'this thing' that you are bringing to the table is human beings from your ethnic community [voters in numbers]. And once you are inside, the practice is that you are treated special based on your ethnic community, because we know 'the numbers' of the basket [of voters] that you are likely to bring [FG1-KE-2:28:34].

Another participant noted:

It's an ethnic issue, yes! Politics becomes a means for the fight, but I think it's an ethnic problem [for Luos]. And the same thing may be for Kalenjins, Kikuyus, etc. So, you can see these ethnic leaders coming out. They represent their communities. You heard Gachagua say: "But I negotiated for eight slots!" ... 'I gave him votes from my

community!” and further saying, “I will speak for MY community.” It’s an ethnic problem! ... So, who will speak for the Luhyas? And the Kurias on that end? So, I think it’s a big issue! [FG1-KE-1:15:51].

Shifts in elite coalitions are also perceived as shifts in communal inclusion. Participants from the Kikuyu community in Mount Kenya described a palpable sense of exclusion following the 2022 transition of power. As one participant explained:

On tensions, coming from Kiambu, we now feel that we are ‘not in government’, so anything pro-government, anything anti-Kikuyu in Kiambu. Right now, the government in place is anti-Kikuyu ... it’s anti-Kikuyu from my village in Nyataraki. We’ve never seen the president, but relate with the aggression against us, in some way or form, either directly, indirectly or perceived, we feel it! So yes! Vis-à-vis the time of the Uhuru government. Things were still not working, but we felt we were still in government ... until the ‘Baba-phenomenon’ [handshake] [FG1-KE-1:08:34].

Participants from urban constituencies described how ethnic dominance determines access to local governance and development. A participant from Lang’ata explained:

I’m from Lang’ata, ... What they do in my ward is that only Luos leads. We do not give Luhyas, we do not give Kisiis, or any other tribe. So, if you’re a Kikuyu, you definitely belong to UDA. You are not an ODM member. And my ward is an ODM zone. So, ... maybe you want to be given a seat for the election process for the parties that are happening, you’ll only get maybe [the roles] of a treasurer or a secretary, but you can never move [upwards] from that place. It doesn’t belong to any other tribe, apart from Luos [FG2-KE-00:24:48].

Similarly, a participant from Mathare reflected on urban ethnic favouritism:

I’m from Mathare ... Mabatini Ward. So, in that given area, Luos are the ones who take the majority of seats, more so as MCAs. So, it has been from Luo, Luo, Luo ... as for population, the Luhyas and Luos are dense [majority] ... even within the ward, because if this given area is dominated by Luhyas, it means that that area will not receive any development, or any (there’s actually a youth fund). The youths within that given location, just a small area, won’t receive anything. But now, the people who are from the same ward, but just from these other areas and they are Luos, they will always receive favour. And that brought in an issue with the road ... There’s a road connecting Juja Road and Mau Mau Road, and so because those living around there are Luhyas, the road has never been repaired over the past 10 years. And the same MCA has been in office all along. And when he’s campaigning, he says the Luhyas are not “his people, but instead the people at Wa-Negro area are, so any development or funds go to them” [FG2-KE-00:26:04].

These contemporary experiences reflect deeper historical patterns. Under the one-party state, the ruling KANU entrenched ethnic patronage networks that persisted well into the multiparty era. Following the repeal of Section 2A in 1991, which allowed for multipartyism, opposition politics emerged as a contest between ethnically aligned elites rather than ideological factions. The 1992 and 1997 elections transformed ethnicity into the primary organising principle of political identity. President Moi’s KANU drew support mainly from the Kalenjin and allied minority groups, while opposition parties, fragmented along ethnic lines, struggled to present a unified front. The Moi–Odinga cooperation (1998–2002) marked a significant moment in Kenya’s ethnic politics by temporarily bridging the historical antagonism between the Kalenjin and Luo communities. In subsequent elections, ethnic alliances continued to define coalition formation. The 2002 elections were won through a rare cross-ethnic coalition, NARC, which united Kikuyu,

Luo, Luhya, and Kamba elites and leaders around Mwai Kibaki and Raila Odinga against KANU's long-standing rule. However, this unity was short-lived; by 2007, elite competition over constitutional reform and power-sharing had reactivated ethnic cleavages, culminating in one of Kenya's darkest moments.

The disputed 2007 elections saw a reconfiguration of ethnic coalitions, with Kibaki's PNU consolidating the Kikuyu and allied groups, while Raila Odinga's ODM drew support from the Luo, Luhya, Kalenjin, and Coastal regions. The ensuing violence revealed the fragility of Kenya's ethnic accommodation and the depth of communal mistrust. Subsequent elections followed suit, with coalition formations continuing to revolve around ethnic bargains. The 2013 and 2017 Jubilee Alliance between Kenyatta (Kikuyu) and Ruto (Kalenjin) reconciled two communities historically pitted against each other in earlier conflicts, not only for numerical strength but also to serve elite survival and political stability.

Similarly, Raila Odinga's opposition coalitions, the Coalition for Reforms and Democracy (2013), NASA (2017), and Azimio la Umoja (2022), were built on multi-ethnic alliances anchored mainly in Luo, Luhya, Kamba, and Coastal support bases. The 2022 general elections further underscored the enduring salience of ethnicity in Kenya's political landscape. Notably, it marked the first time since the reintroduction of multiparty democracy in 1992 that neither of the leading presidential contenders hailed from the Kikuyu community. Acknowledging the community's pivotal electoral weight, both front runners, William Ruto and Raila Odinga, strategically selected Kikuyu running mates to secure support from this influential voting bloc.

2 Peace and Security in Kenya

Kenya has long maintained a reputation as a relatively stable and peaceful nation within the volatile Horn of Africa, a remarkable achievement considering its proximity to two of the world's most conflict-affected states, Somalia and South Sudan (Wepundi & Sharamo, 2021, p.1). Despite this relative stability, Kenya's peace and security landscape remains fragile, shaped by both internal structural inequalities and external geopolitical pressures.

According to the National Cohesion and Integration Commission (NCIC, 2024), six primary factors continue to undermine social cohesion and peace in the country: the proliferation of organised youth criminal gangs; escalating incidents of banditry; acts of terrorism; hate speech and ethnic contempt; governance-related challenges linked to devolution; and unresolved intercounty and administrative boundary disputes. These threats have compounded over time, intersecting with historical, political, and socio-economic fault lines that heighten the risk of localised and national instability.

Additional sources of insecurity include competition over scarce natural resources, especially in arid and semi-arid regions, as well as the spillover effects of prolonged conflicts in neighbouring states. These issues are situated within a broader framework of social and economic inequalities, persistent youth unemployment, unresolved land injustices, and governance

deficiencies. Collectively, these conditions create an enabling environment for radicalisation, criminality, and violence.

Civil unrest and political protests have long been recurring features of Kenya's sociopolitical landscape, from the pro-democracy movements of the early 1990s to more recent mass demonstrations over electoral outcomes and governance failures. While Kenya has largely avoided sustained civil war, episodes of election-related violence have periodically disrupted its internal peace.

2.1 *Electoral Violence and the Political Economy of Conflict*

Electoral competition in Kenya has frequently been associated with violence, reflecting deeper struggles over access to power, resources, and representation. These conflicts are often shaped by interactions among political elites, state security actors, and informal militias or criminal gangs, each seeking to influence electoral outcomes and renegotiate political agreements.

The introduction of multiparty politics in the early 1990s institutionalised violence as a recurrent electoral strategy. The 1992 general elections were marred by widespread, state-sponsored ethnic clashes, particularly in the Rift Valley and parts of the Western provinces, which left more than 1 500 people dead and displaced approximately 300 000 others across more than twenty districts (Ajulu, 1993, p. 100; Kagwanja, 1998). The violence primarily targeted opposition-aligned communities, effectively disenfranchising them while consolidating the ruling party KANU's grip on power through its Kalenjin ethnic base.

Similar dynamics re-emerged during the 1997 elections, although the violence was more localised and predominantly post-electoral. In the Coast Province, for instance, the Likoni raid ignited a series of ethnically targeted attacks led by militias such as the Coast Raiders, who were largely composed of Digo youth. These groups, motivated by deep-seated historical grievances related to land dispossession and economic marginalisation, drew ideological legitimacy from *majimboist* (federalist) rhetoric advocating regional autonomy. Violence, in this context, became a perceived instrument of justice – a means of reclaiming land and political space from perceived outsiders (Branch, 2011; Human Rights Watch, 2022; Klopp, 2001).

In contrast, the 2002 elections marked a critical turning point towards relative peace. The absence of widespread organised violence and militia activity was largely attributed to the formation of NARC, a broad-based, multi-ethnic alliance united in its determination to end KANU's four-decade rule. NARC's cross-ethnic inclusivity and reformist agenda effectively diffused historical animosities and created a sense of shared national purpose. The peaceful transition that followed reinforced public confidence in democratic change, demonstrating the potential of inclusive political coalitions to mitigate electoral conflict and strengthen Kenya's democratic governance processes.

However, the 2007 general elections represented a critical regression in Kenya's democratic trajectory, marking the country's most violent and destabilising political crisis since

independence. Although polling day itself proceeded relatively peacefully, tensions escalated rapidly during the delayed announcement of the results. The opposition, led by Raila Odinga, rejected the declared victory of incumbent President Mwai Kibaki, alleging widespread electoral manipulation and irregular tallying by the ECK. What began as a political protest soon degenerated into widespread violence, engulfing opposition strongholds such as Kisumu, Western Kenya, the Rift Valley, and the Coast region, and pushing society to the brink of civil war.

According to the Kenya National Commission on Human Rights (KNCHR, 2008), the violence resulted in approximately 1 500 deaths, the displacement of over 600 000 people, and massive destruction of property. Thousands were injured or maimed, and widespread cases of sexual and gender-based violence were reported, underscoring the human cost of the electoral breakdown. The Republic of Kenya's (2008) CIPEV report found that the violence was neither spontaneous nor isolated but rather orchestrated through networks of political elites who financed and mobilised militias and gangs to defend ethnic and political interests. These groups, some with operational ties to state security actors, functioned as informal shadow governments, undermining the state's capacity to maintain order. Among the most prominent was the Mungiki sect, which initially emerged in the 1990s but was reactivated in 2008 as a defence militia aligned with elite political interests.

CIPEV's findings exposed the systemic use of organised violence and political patronage as tools of electoral strategy and governance (Republic of Kenya, 2008). These revelations led the ICC to indict six senior Kenyan officials for crimes against humanity linked to the 2007–2008 unrest. A parallel investigation by the United Nations' Office of the High Commissioner for Human Rights (2008) identified three distinct yet interconnected forms of violence – spontaneous, organised, and retaliatory – illustrating the complexity and coordination of the conflict. The situation was further exacerbated by the excessive and indiscriminate use of force by security agencies, whose response deepened public mistrust in state institutions and reinforced the perception of selective justice.

The 2013 elections marked a significant improvement in peace and order, reflecting the lessons learned from 2007. With peace prioritised above all else, stakeholders adopted a cautious approach, emphasising restraint over confrontation (Cheeseman et al., 2020, p. 101). The alliance between the two historically antagonistic communities, the Kikuyu and Kalenjin, under the Jubilee Coalition served as a deterrent to potential violence, while the pending ICC cases against leading politicians further discouraged ethnic mobilisation. Nonetheless, isolated militia activity persisted, particularly along the coast, where the Mombasa Republican Council sought to disrupt the electoral process through attacks, including one in Lamu County that killed nine police officers and six civilians (Opala 2023, p. 11; Willis & Chome, 2014). Despite these incidents, the elections were largely peaceful, and Raila Odinga's decision to contest the results in the Supreme Court, rather than on the streets, helped avert violence like that witnessed in 2007.

Similarly, the 2017 elections saw fewer large-scale violent outbreaks, although political tensions remained high. Following the Supreme Court's historic annulment of the August polls due to irregularities, the repeat election was marred by police brutality in opposition strongholds, where local resistance hindered the IEBC from conducting the vote. Violent clashes were reported in Kisumu, Nairobi, and Mombasa. Raila Odinga's subsequent refusal to recognise President Uhuru Kenyatta's re-election culminated in a symbolic swearing-in as the People's President on 30 January 2018. Nonetheless, the absence of widespread ethnic clashes, especially in the Rift Valley, marked significant progress. Mutahi and Ruteere (2019) attribute this relative calm to several factors: devolution's diffusion of power, the transformation of youth gangs, multi-ethnic electoral strategies, judicial independence, the deterrent effect of ICC prosecutions, and enhanced peacebuilding and early warning systems.

Despite these gains, concerns persisted regarding the politicisation of security. The emergence of the Nairobi Business Community, reportedly comprising traders, local enforcers, and, in some cases, undercover police, highlighted blurred boundaries between state security and informal coercive groups. The role of the Nairobi Business Community in countering opposition-led protests calling for IEBC reforms (Opala, 2023, p. 16) raised questions about the selective use of law enforcement to shield incumbents and suppress dissent.

The 2022 elections sustained the general trajectory of reduced electoral violence, although pre-election reports warned of renewed militia activity. The NCIC (2022) noted an upsurge in gang-related incidents in urban and peri-urban areas, including extortion, armed robbery, and the proliferation of small arms, often under political patronage. As *The Star* (2021) reported, these groups frequently operated under the protection or direction of political elites. Opala (2023) further documented the re-emergence of the Nairobi Business Community, which publicly endorsed Raila Odinga, a candidate it had opposed in previous contests, as a pragmatic recalibration of business interests in anticipation of electoral outcomes likely driven by the pursuit of access to state resources.

By 2023, however, public discontent once again spilled into the streets amid rising inflation, economic inequality, and perceptions of democratic backsliding. The protests culminated in the youth-led Gen Z demonstrations of June 2024, which signified a transformative shift in Kenya's civic landscape. Unlike previous episodes of elite-driven or ethnically framed unrest, these protests were broad-based, cross-ethnic, and ideologically grounded in economic justice and accountability. They reflected a new form of social mobilisation that transcended traditional political affiliations based on clan or identity and focused on livelihood, economic and policy issues.

The state's response was marked by excessive force and impunity. Human rights organisations, including the Kenya Human Rights Commission (KHRC) and the Independent Medico-Legal Unit, documented at least 63 deaths, hundreds of injuries, over a thousand arbitrary arrests, and multiple enforced disappearances between June and November 2024 (Civil Society Organisations, 2025). The recurrence of police brutality during the protests underscored the

persistence of Kenya's regime policing culture, in which not only overt dissent but even ordinary differences of opinion and demands for accountability are often securitised rather than constructively engaged.

2.2 Causes of Election Violence in Kenya

2.2.1 Centralisation of Power and the High Stakes of the Presidency

Elections in Kenya are consistently high-stakes contests, shaped by the pervasive belief that access to economic and political opportunities is intrinsically tied to control of the state. As a result, the loss of political power is often perceived as an existential threat, rendering electoral defeat politically and economically intolerable and fuelling recurrent disputes and episodes of unrest. The CIPEV report highlighted this dynamic in its assessment of the 2007 post-election crisis. The report concluded that the personalisation of political authority, centred on the presidency, was deeply rooted in constitutional and institutional distortions perpetuated by successive administrations since independence. This concentration of power, the report noted, was a central driver of Kenya's recurring political instability (Republic of Kenya, 2008). Although the 2010 Constitution introduced devolution to decentralise governance and reduce the stakes of presidential contests, the concentration of power around the presidency remains deeply entrenched, sustaining Kenya's enduring pattern of high-risk electoral politics. One participant in the EISA FGD spoke about the concentrated focus of power in the presidency:

I look at the most important leaders to me as the MCA and MP [member of Parliament]; those are the immediate persons who are going to deliver services to you. Those others are important too, but we still have a lot of emphasis on an 'imperial' President. And it's unfortunate that even our current President is trying to amass that power which he doesn't have actually, according to the law [FG2-KE-00:59:07].

Another participant opined:

An imperial presidency and a system that has the 'winner-take-it-all', and leaders relentlessly clench to power in the scramble for resources. Political bad manners also refer to leaders violating the Constitution as much as they want and getting away with it [FG2-KE-00:24:48].

2.2.2 Historical Land Grievances and Spatial Inequalities

Land remains one of the most contentious issues in Kenya's electoral history, deeply rooted in colonial-era expropriation and perpetuated by post-independence governments. During the colonial period, British settlers alienated large tracts of land from indigenous communities such as the Kikuyu, Maasai, and Kalenjin. Coastal communities such as the Mijikenda were similarly dispossessed by both Arab and colonial elites. Rather than resolving these injustices, post-independence regimes under Kenyatta and Moi used land as a tool of political patronage, rewarding loyalists and reinforcing ethnic hierarchies. The 1990s marked a deepening of land-based patronage, with the Ndung'u Report exposing widespread illegal allocations (Southall, 2005). The creation of ethno-specific administrative districts during this period further reinforced

notions of insiders and outsiders, fuelling residential segregation in both rural and urban areas, especially informal ones.

These divisions and grievances intensify during election periods. Political elites strategically manipulate unresolved land injustices to mobilise ethnic support and frame electoral contests as struggles over territory, livelihoods, and belonging. Elections amplify the perception that control of state power will determine future access to land and security of tenure, thereby heightening competition. Consequently, politicians revive long-standing disputes, often dormant between electoral cycles, through inflammatory rhetoric, boundary claims, and sharpened insider-outsider narratives that cast rival communities as threats. This instrumentalisation transforms land from a structural historical injustice into a potent electoral weapon, making it a recurrent tool of mobilisation and a persistent trigger of tension and violence.

The CIPEV report, for instance, identified unresolved land disputes, particularly in the Rift Valley, as a key driver of electoral violence, noting that communities such as the Kalenjin view past land redistribution as unjustly favouring perceived outsider groups like the Kikuyu (Republic of Kenya, 2008). These findings were echoed in the FGDs, where participants repeatedly linked electoral tensions to unresolved historical grievances. As one participant observed:

And it is also a trigger of deep-seated historical injustices. So, for some, elections have become the trigger, but there are so many unseated issues [FG1-KE-2:44:28].

Participants further highlighted how land and resource-based inequalities intersect with insecurity in border and pastoralist regions, exacerbating electoral fragility. Participants identified persistent banditry and cattle rustling in Turkana and West Pokot as both symptoms and tools of political control, often disrupting voter registration and turnout. As one participant explained:

Recently we consolidated some information relating to hindrances of participation in marginalised communities, and they were citing some places in Turkana and West Pokot, because of the banditry, cattle rustling, and those kinds of border issues. We caught it there that for them security hinders them from coming out and walking towards where registration or voting takes place, and sometimes some of those instances are [specifically] engineered against certain communities [FG1-KE-02:17:36].

2.2.3 Economic Marginalisation and Youth Disenfranchisement

Despite sustained economic growth in recent years, Kenya continues to grapple with entrenched structural inequalities. These include widespread poverty, high youth unemployment, and unequal access to education, healthcare, and basic infrastructure. Weak social protection systems have left large sections of the population economically marginalised and politically disillusioned. This socio-economic exclusion has made disenfranchised youth particularly vulnerable to recruitment into militias and organised criminal gangs, many of which are formed along ethnic lines or operate as party militias.

As observed by Opala (2023), these groups, often categorised as either politically affiliated criminal outfits or ethnically aligned militias, are routinely mobilised by political elites to provide enforcement, voter mobilisation, and intimidation services during election periods.¹⁸ In return, they are rewarded with patronage and impunity – a relationship the Kenya National Crime Research Centre (2012) aptly describes as symbiotic. This dynamic has become a defining feature of Kenya’s electoral cycles and remains a persistent driver of political instability. The FGDs reinforced these dynamics, with participants describing how communities often mobilise young men into informal security units during elections to safeguard local interests or enforce political control. However, these groups frequently evolve into instruments of coercion and extortion, blurring the line between protection and aggression. As one participant noted:

When elections come, all of a sudden then each community has some vigilantes or community-based young men, and so they become a source of conflict and tension to the locals, and also to their neighbours, because you will need to ‘buy’ them in order to do a certain campaign somewhere, or for them to provide your security [FG1-KE-3:18:25].

Regarding the ethnic mobilisation of the youth, another respondent observed:

Again, the other thing that I’ve noticed as a youth leader is that they keep telling us to ‘mobilise’. So, they tell us: nitafutie Wajaluo [find me Luos]. Find me Luhyas. Leave these Kikuyus ... So, for instance, being given 100 000 shillings to go out and mobilise youth, and being told to find young men, Kikuyus only, what am I going to do? And I don’t have a job [income from elsewhere]. And then next time they are going to tell me, “these Kikuyus are good”, or these Luhyas are “our people”. Already he had given me something, so it’s really difficult somehow [FG2-KE-00:47:43].

For historically marginalised communities, elections represent a rare opportunity to seek redress for long-standing grievances. When electoral processes are perceived as flawed or unjust, such perceptions deepen feelings of exclusion and can catalyse post-election unrest. Consequently, in the eyes of many participants, elections in Kenya are not routine democratic exercises but rather high-stakes moments of economic and political reckoning, periods during which access to state power is equated with survival, opportunity, and belonging.

2.2.4 Institutional Weakness and Political Capture

The challenges described above are compounded by the fragility and politicisation of Kenya’s institutions. The excessive concentration of power in the presidency, coupled with the persistence of a clientelist and patronage-based political system, has weakened the capacity of state institutions, redirected their focus from public service to elite interests, and eroded mechanisms of accountability. These institutional vulnerabilities are further exacerbated by volatile coalition politics, endemic corruption, and recurrent impunity for abuses of office. Public

¹⁸ Among the groups identified by the NCIC are Mungiki (from the Kikuyu tribe), Chinkororo (Kisii), Angola Musumbiji (Luhya), Kalenjin Warriors (Kalenjin), Sabaot Land Defence Force (Sabaot), Taliban (Luo), and Kaya Bombo (coastal tribes of the Mijikenda). Political militia, who are multi-ethnic in composition, operate largely in metropolitan areas.

trust in key governance and oversight institutions, such as the IEBC, the Judiciary, and the police, remains precarious and frequently divided along political lines.

Long-run Afrobarometer data, as depicted in Table 2.1, indicate that only a minority of Kenyans have consistently expressed trust in the IEBC over the past decade. Over the same period, trust in the Judiciary has remained steady at around half of citizens, positioning it as a relatively trusted arbiter of electoral disputes. In contrast, the police remain one of the least trusted institutions, with roughly a third of citizens expressing confidence and a growing share reporting no trust at all. During election periods, confidence in these bodies tends to decline further, as citizens question their impartiality and autonomy. Indeed, pre-election opinion polls confirm that confidence in the IEBC is particularly fragile close to elections. The Twaweza East Africa's (2022) Sauti za Wananchi panel found that confidence in the IEBC's ability to conduct free and fair elections dropped from 65% in 2017 to 41% in early 2022. Furthermore, a 2025 Trends and Insights for Africa (TIFA, 2025) survey reports that just 18% of Kenyans are "very confident" in the IEBC ahead of the 2027 polls, with 48% having no confidence at all.

Table 2.1: Trust in key governance and oversight institutions in Kenya (2014–2024)

Institution	Year				
	2014	2016	2019	2021	2024
IEBC	46%	34%	40%	45%	36%
Judiciary	54%	52%	57%	56%	50%
Police	36%	34%	38%	34%	36%

Note: Percentage who state that they trust the institution "somewhat" or "a lot".

Source: Kodiaga and Kamau (2021), Otele et al. (2025, p. 3), and Wolf et al. (2010).

Participants in the Kenya EISA FGDs underscored this deep-seated mistrust, with one participant succinctly noting:

And then the other thing is a lack of trust in our public institutions. That we totally do not trust, whether it is the police or a civil servant. So, I think those two things. Because if we don't even trust the Judiciary, one cannot even go there ... wacha basi tumalizie kwa steet! [let's just settle our matters in the streets] [FG2-KE-3:12:28].

Such sentiments highlight how the erosion of institutional legitimacy drives citizens to seek extralegal means of expressing grievances, including mass protests and political unrest. Another participant attributed these instabilities directly to political interference, arguing that:

I think the other thing is the independence of the different arms of government and also the commissions. If these institutions are able to work as independently as enshrined in the Constitution, then these instabilities that we keep seeing during the election time would not be there. So, let them be respected as independent bodies to do their mandate without interference. Otherwise, as it is, we'll always have electoral instability [FG2-KE-3:13:28].

Governance structures also reflect entrenched regional and socio-economic imbalances in the allocation of resources and access to opportunities. These inequities fuel dissatisfaction and intensify reactions to perceived electoral injustices, contributing to recurring cycles of instability.

3 Governance, Inequality, and the Socio-Economic Dimensions of Stability in Kenya: A Historical and Comparative Analysis of Political Regimes (1992–2024)

3.1 *Inclusion as a Democratic and Developmental Imperative*

The relationship between inclusion and democratic legitimacy has long been highlighted in scholarship and practice. As Juma (1998, cited in Nyadera et al., 2020, p. 3) cautions, when citizens perceive their leaders as unwilling or unable to address entrenched inequalities, institutional trust erodes, leading to disempowerment and disillusionment. Such erosion widens the gap between the state and society, undermining both democratic accountability and developmental outcomes. This dynamic has been repeatedly evident in Kenya's political history, where perceptions of exclusion have fuelled mass mobilisation and, at times, violent contestation.

Despite these challenges, Kenya's 2010 Constitution articulates a robust commitment to inclusivity as a foundational principle of governance. It enshrines equality and non-discrimination (Article 27), fair labour practices (Article 41), economic and social rights (Article 43), and political rights (Article 38). Nonetheless, implementation gaps still persist. Persistent inequalities in access to economic opportunities and social mobility, often shaped by class, geography, and entrenched patronage networks, continue to undermine the constitutional vision of inclusivity.

The extent of socio-economic inclusion in Kenya has varied significantly across regimes. While external shocks such as droughts, global financial crises and pandemics, have influenced outcomes, the dominant factor has been governance orientation. Policy priorities, regulatory frameworks, adherence to the rule of law, and the political interests of successive administrations have determined the extent to which inclusion has been advanced or undermined.

3.2 *Economic Performance and Regime Stability*

Kenya's economic growth trajectory has experienced considerable fluctuations across different presidential regimes. While the country has demonstrated episodes of economic resilience, these have often been interrupted by significant contractions, particularly during periods of political transition and global crises, as demonstrated in Table 2.2.

Table 2.2: Annual gross domestic product (GDP) growth in Kenya (1992–2024)

Year	Economic participation population income share	
	Annual GDP growth (%)	Poverty levels (%)
1992	−0.8	26.4
1995	4.4	
2000	0.6	
2005	5.9	46.8
2010	8.1	
2015	5	36.1
2020	−0.3	42.9
2021	7.6	38.6
2022	4.9	39.8
2023	5.6	
2024	4.7	

Source: Kenya National Bureau of Statistics' (KNBS) Economic Surveys (1992–2024) and the World Bank (2024).

During the final decade of President Daniel arap Moi's administration (1992–2002), Kenya's economic performance declined sharply. This period was marked by multiple domestic and external shocks, including recurrent droughts (1991–1992 and 2000), the devastating El Niño rains (1997–1998), and the surge in oil prices caused by the 1991 Gulf War, which disrupted production and triggered severe inflation that peaked at 46% in 1993. Election-related ethnic violence in 1992 and 1997 further destabilised markets, while structural adjustment programmes imposed fiscal austerity, retrenchment of public sector workers, and privatisation of state-owned enterprises, which weakened public capacity and deepened socio-economic vulnerabilities (Alushula & Odhiambo, 2020).

Beyond these exogenous pressures, scholars such as Kanyinga (2023) contend that internal governance failures were more decisive in precipitating Kenya's economic decline. He observes that Moi's highly personalised leadership style, characterised by the appointment of loyal but often incompetent officials and the exclusion of participatory policymaking, undermined institutional integrity and policy coherence. As a result, agricultural productivity declined, and state institutions experienced significant decay as informal patronage networks supplanted formal governance structures (Sigei, 2020).

President Kibaki's era (2003–2013) marked a decisive break from the stagnation of the Moi years, with a renewed emphasis on economic recovery, governance reforms, and infrastructural modernisation (Galava, 2023). GDP growth accelerated in the mid-2000s but collapsed in 2008 due to the post-election crisis. Despite this sharp shock, the economy stabilised, averaging around 5% growth in the years that followed. Kibaki's technocratic leadership and institutional respect, coupled with targeted investments in infrastructure, ICT, and energy, drove this

recovery. These achievements distinguished Kibaki's governance style from Moi's more personalised and patronage-driven approach.

Comparatively, subsequent regimes have built on some of Kibaki's infrastructure and ICT gains with various governance orientations. President Uhuru Kenyatta's tenure (2013–2022) was marked by ambitious infrastructural investments, notably the Standard Gauge Railway, the Nairobi Expressway, and large-scale road expansions. While these projects modernised Kenya's transport network, they also entrenched fiscal vulnerability through escalating public debt. GDP growth averaged 5–6% during much of his presidency, although shocks, particularly the COVID-19 pandemic, disrupted stability. Growth contracted to –0.3% in 2020 before rebounding sharply to 7.6% in 2021, only to moderate again to 4.9% in 2022. By June 2022, the national debt had surged by KES 4.1 trillion, raising questions about the sustainability and inclusivity of debt-financed growth (Business Daily, 2023).

In the early years of President William Ruto's administration (2022–present), the economy has demonstrated modest recovery. The growth rate was 5.2% in 2023 and 4.5% during the first three quarters of 2024, with projections for 2025 and 2026 remaining positive at 5.1% (African Development Bank, 2024; The National Treasury and Economic Planning, 2024; World Bank, 2023c, 2024). Ruto has emphasised bottom-up economic empowerment and digital inclusion, but the full impact of these policies has yet to be seen.

A recurring pattern in Kenya's economic trajectory across different regimes is the contraction of GDP growth during election years.¹⁹ These fluctuations are largely attributed to election-related uncertainties, often accompanied by political violence and institutional instability, which dampen investor confidence. Moreover, as highlighted in International Monetary Fund-backed analyses, election years often trigger political budgetary cycles. Incumbent governments tend to increase current expenditures in pursuit of electoral advantage, resulting in permanent upward shifts in public spending. This displacement effect undermines fiscal sustainability and widens deficits, which are only partially corrected in the post-election period through increased revenue mobilisation (Mutuku, 2017). One respondent in the EISA FGDs observed:

An unstable economy, where for instance almost up to six months to and after elections, nothing major happens insofar as economic growth is concerned. So, people struggle, because you have for instance campaigns, which are also violent, so in some areas even movement is hampered ... And so basically ... the economy is badly hampered. I also see a general lack of service delivery, so that critical services cannot be given to the people, for many reasons such as that we are waiting for the outcome of the Supreme Court, so nothing is going on ... So, there's a general sense of frustration of the Kenyan people, coupled with a lack of trust in institutions ranging from the IEBC (because they put us in this), to the Supreme Court (because of the protracted decision-making on petitions and

¹⁹ For example, growth dropped from 1.4% in 1991 to –0.8% in 1992; from 4.1% in 1996 to 0.5% in 1997; from 3.8% in 2001 to 0.5% in 2002; from 6.9% in 2007 to 0.2% in 2008; from 4.6% in 2012 to 3.8% in 2013; from 4.2% in 2016 to 3.8% in 2017; and from 7.6% in 2021 to 4.9% in 2022.

things technically coming to a halt and grind as people wait for Supreme Court decisions)
 [FG1-KE-1:32:11]

3.3 Inequality Spatial Disparities, and Political Contestation

Kenya's economic performance, while marked by episodes of resilience and recovery, has not translated into inclusive development. Structural inequality, rooted in colonial legacies and perpetuated by post-independence political economies, continues to shape the distribution of wealth and opportunities. The country's persistently high Gini coefficient, ranging from 0.569 in 1992 to 0.387 in 2021, as demonstrated in Table 2.3, reflects entrenched disparities in income distribution. Additionally, income share data shows that the top 20% of earners control more than 60% of the national income, while the bottom 20% rarely exceed 7%. This pattern remains largely invariant across successive administrations, implying that the gains from economic growth remain concentrated, circulated, and redistributed within a narrow elite, with limited diffusion to the broader population.

Table 2.3: Income inequality and income shares in Kenya (1992–2024)

Year	Equality		
	Gini index	Income share (highest 20%)	Income share (lowest 20%)
1992	0.569	61.4	3.4
1994	0.431	48.9	5.2
1997	0.450	51.3	5.6
2005	0.464	52.1	5.0
2015	0.408	47.5	6.2
2020	0.362	44.1	7.3
2021	0.387	46.6	7.2

Source: World Bank's (n.d.) Gini index.

Indeed, while the country achieved substantial poverty reduction between 2005/2006 and 2015/2016, progress has stagnated in recent years, with rising wealth concentration constraining inclusive development.²⁰ These outcomes highlight that economic growth alone has been insufficient to alleviate poverty and inequality. Scholars argue that the shortcomings of Kenya's growth strategy stem from weak reform implementation, mismanagement of resources, and the neglect of redistributive policies (Ikiara, 1998; Ikiara & Tostensen, 1995). This reflects broader African trends, where economic growth has coincided with deepening poverty, largely due to

²⁰ Between 2005/2006 and 2015/2016, the poverty rate dropped by 10.5 percentage points, from 46.7% to 36.1%, reflecting an average annual decline of 1.1 percentage points (World Bank, 2023b). Additionally, data from the KNBS (2023) shows that by 2022, 31.7% of Kenyans (16 million) were food poor, 39.8% (20.2 million) lived in absolute poverty, and 7.1% (3.6 million) lived in extreme poverty.

weak leadership and poor governance, which have limited the adoption of transformative pro-poor policies (Osei-Hwedie & Kurantin, 2017, as cited in Omulo, 2023, p. 7).

During the Moi regime, Kenya's income inequality remained persistently high. Although Moi introduced decentralisation through the District Focus for Rural Development programme, ostensibly to correct regional imbalances inherited from colonial and post-independence policies, the initiative largely devolved patronage rather than power. District elites became conduits of political loyalty rather than vehicles for equitable development, reinforcing central control and leaving regional disparities largely unaddressed. The persistence of elite capture in land distribution, access to credit, and state contracting further entrenched poverty and social exclusion, consolidating inequality as a structural feature of the Moi era.

During the Kibaki administration, economic growth accelerated, particularly between 2003 and 2006. However, this growth was not distributed equitably. Gakuru and Mathenge (2011, p. 4) contend that only individuals with access to productive assets such as land and capital and those with skills relevant to a liberalised economy benefited meaningfully from the boom. The majority remained excluded from these opportunities, resulting in income disparities that persisted despite improvements in macroeconomic indicators.

Under President Uhuru Kenyatta's administration, inequality levels remained relatively stable but showed little substantive progress towards reduction. The poverty reduction gains of earlier years were reversed by the COVID-19 pandemic, which raised the national poverty rate to 39.8% in 2022.²¹ Redistributive initiatives under the Big Four Agenda (housing, healthcare, food security, and manufacturing) have proven insufficient to disrupt the entrenched patterns of accumulation and exclusion that have characterised Kenya's political economy since independence.

Although official data on inequality under President William Ruto's administration is not yet available, broader socio-economic trends suggest that disparities persist. This is underscored by heightened public discontent over inequality and other issues, which became especially evident in 2022 through Gen Z-led protests against rising living costs, unemployment, corruption, and the government's perceived unresponsiveness to citizens' economic and social grievances.

3.4 Employment and Labour Market

Unemployment remains a persistent challenge in Kenya despite periods of economic reform and growth (Ndungu, 2018). Official statistics understate the problem, as informality and underemployment dominate the labour market. The informal sector absorbs millions who are excluded from formal work; yet it is characterised by low pay, insecurity, and lack of regulation. The formal sector, comprising wage employees and self-employed workers in registered businesses, grew modestly from 2.9 million in 2020 to 3.4 million in 2024 (Mugo, 2025). This represents only about 16–17% of total employment outside small-scale agriculture and roughly

²¹ Compared to 33.6% in 2019.

one-tenth of the working-age population (Danish Trade Union Development Agency, 2024; KNBS, 2024; International Labour Organization [ILO], 2023). Consequently, the expansion of formal employment has lagged behind population growth, forcing many, particularly youth, into casual labour and seasonal farming – forms of labour that the Danish Trade Union Development Agency (2024) describes as “disguised unemployment”.

The burden of unemployment falls disproportionately on women and youth. Women record lower labour force participation, higher unemployment rates, and greater concentration in low-paying informal work, with nearly three-quarters lacking social protection. Even in formal employment, women earn less than men, and female-headed households remain more vulnerable to poverty due to limited asset ownership (KNBS, 2025).²² Youth exclusion is even more severe, as youth unemployment rates consistently exceed the national average.

As demonstrated in Table 2.4, between 1991 and 2024, youth unemployment increased from 6.23% to 11.93%, while the national average remained at 3.35%. By 2023, 20.2% of young people were not employed, in education, or in training, with young women being disproportionately affected.²³

Table 2.4: Unemployment rates by gender and age in Kenya (1992–2024)

Year	Economic participation			
	Unemployment, total (% of labour force, modelled ILO estimate)	Unemployment, female (% of female labour force, modelled ILO estimate)	Unemployment, male (% of male labour force, modelled ILO estimate)	Unemployment, youth (% of youth labour force, modelled ILO estimate)
1992	2.90	3.1	2.7	6.48
1995	2.86	3.0	2.7	6.53
2000	2.99	3.1	2.7	6.77
2005	2.75	2.9	2.6	6.67
2010	2.80	3.0	2.6	7.05
2015	2.80	2.9	2.6	7.30
2020	5.62	6.7	4.7	13.65
2022	5.71	7.7	3.9	12.19
2023	5.57	7.5	3.8	12.01
2024	5.43	7.4	3.7	11.93

Source: Macrotrends (n.d.).

²² Among those in formal employment, women earn on average only KES 62 for every KES 100 earned by men.

²³ There is a higher incidence of not being employed, in education, or in training among young women (26.1%) than men (14.3%).

The consequences of this exclusion have been evident in both historical and recent instances of unrest. During the 2007–2008 post-election violence, youth were responsible for about 55% of the violent acts (Youth Agenda, 2008, cited in World Bank, 2009, p. 10). Similarly, the unprecedented protests in June and July 2024 reflected grievances rooted in unemployment, poverty, corruption, and failures of governance. Shilaho and Monyae (2024) warn that, without structural reforms, joblessness will continue to drive instability. Historical regime trajectories further illustrate these dynamics. Under President Moi, economic stagnation and structural adjustment programmes triggered retrenchments, privatisation, and reduced public spending, fuelling structural unemployment. Total unemployment averaged 2.9%, while youth unemployment stood at 6.7%, reflecting limited formal job creation due to state-led patronage and economic stagnation.

During Kibaki's era, there were modest improvements in job creation, especially in ICT, finance, and education. However, high youth unemployment persisted due to a mismatch between rising educational attainment and absorption into the limited formal sector. The 2007/2008 post-election violence further undermined labour markets by destroying businesses, displacing populations, and reversing employment gains. Overall unemployment remained relatively stable at 2.8%, while youth unemployment averaged 6.8%.

Labour markets remained under pressure during Kenyatta's presidency. Despite GDP growth, unemployment, especially among women and youth, remained above the national average. Initiatives such as the Youth Enterprise Fund, National Youth Service reforms, and the Big Four Agenda were weakened by corruption scandals and fiscal constraints. The COVID-19 pandemic in 2020 deepened joblessness, especially in the service sector. Recovery in 2021–2022 did not substantially address informality and underemployment, which continued to dominate the labour market. Total rates averaged 3.9%, with youth rates surging to 9.7%.

Under President Ruto's administration, joblessness has remained elevated, with total unemployment averaging 5.6%. Despite promises of a hustler nation and bottom-up transformation, youth unemployment remains one of the regime's most pressing socio-economic challenges at 12%, despite high literacy rates. Structural constraints, including fiscal austerity, continue to impede job creation. Overall, the data shows an 81% increase in youth unemployment since 2007, indicating a deepening structural challenge that could be rooted in demographic pressures, education-employment mismatches, and limited labour market inclusivity over the years, despite successive policy reforms.

Another persistent characteristic across Kenya's political regimes has been the ethnicisation and politicisation of public sector employment. Appointments to state positions have consistently reflected cronyism, patronage, and political loyalty rather than competence or equity. Successive governments have utilised public service recruitment as an instrument of political consolidation, rewarding allies and loyalists while systematically excluding regions and communities associated with opposition politics. In recent years, this pattern has increasingly manifested through the co-optation of opposition leaders into cabinet and senior government

roles, functioning as a mechanism of elite accommodation and coalition stabilisation. As a result, representation within state institutions tends to replicate the ethnic configuration of the ruling elite instead of fostering equitable inclusion across Kenya's diverse population.

3.5 Literacy and Education

Kenya has pursued significant education reforms over the years, which have contributed to a strengthened education system and broader inclusion, as reflected in the country's relatively high literacy rates shown in Table 2.5. As illustrated, youth literacy rates have consistently surpassed overall adult literacy rates, increasing from 93% in 2000 to 95% in 2022.

Table 2.5: Literacy levels in Kenya (2000–2022)

Year	Literacy levels (%)		
	Male	Female	Youth
2000	87	78.0	93
2007	78	67.0	82
2018	85	78.2	
2022	86	80.0	95

Source: World Bank (2024)

President Moi promoted access to education through policy decrees such as abolishing school fees up to Standard 6 and implementing the widely publicised free school milk programme (Mugo, 2014). While these policies contributed to rising literacy rates, Rakhmatullin (2025, p. 63) argues that Moi's later shift towards authoritarianism and neoliberal reforms led to a contradictory outcome: enrolment increased, but the quality and equity of education deteriorated. This decline stemmed from several interconnected factors. First, rapid expansion occurred without corresponding increases in funding, resulting in overcrowded classrooms, teacher shortages, and reduced resources per pupil. Second, the introduction of cost-sharing under structural adjustment shifted financial burdens onto households, deepening inequalities between well-resourced and marginalised communities. Third, schools became increasingly politicised as the regime used appointments, school boards, and resource allocation to entrench loyalty to KANU, eroding professional autonomy and distorting governance. Finally, reliance on community-funded Harambee schools and poorly regulated private institutions has further widened disparities in infrastructure and learning outcomes. Thus, although access expanded, these structural and political dynamics led to heightened inequality, declining quality, and the politicisation of the education sector during the Moi era.

The education sector experienced renewed prioritisation under President Mwai Kibaki. His administration launched a comprehensive free primary education programme in 2003, immediately enrolling more than 1 million previously out-of-school children. Primary enrolment jumped from 6 million in 2000 to 7.4 million by 2004, and higher education expanded dramatically, with the number of public universities increasing from six in 2002 to 22 by 2013

(Munene, 2022; Oduor, 2022). However, a decline was observed in 2007, likely attributable to the 2007/2008 post-election violence, which severely disrupted learning; numerous schools were attacked, vandalised and burnt, thereby halting learning activities. This period corresponded with a marked decline in the primary school cohort survival rate, from 91.6% in 2006 to 73.8% in 2007, demonstrating the fragility of education outcomes in contexts of political crisis (ILO, 2010; Japan International Cooperation Agency & International Development Center of Japan, 2012; Thomson et al., 2010).

Subsequent regimes of Presidents Uhuru and Ruto sustained their predecessor's education policies, contributing to steady increases in literacy rates. By 2022, overall literacy had reached 83%, with male literacy at 86% and female literacy at 80%. Youth literacy remained high at 95%, reflecting strong enrolment and retention rates among younger cohorts. Indeed, over the past two decades, the proportion of Kenyan workers with no education has declined sharply, while the proportion of those with at least primary education has increased (Bigsten & Wambugu, 2010). However, structural disparities persist. Rural areas report higher educational exclusion, with 22% of rural residents lacking formal education compared to 15.7% of residents in urban areas (KNBS, 2025). Gender parity has improved markedly in primary and secondary education, with girls now surpassing boys in enrolment and transition rates. However, disparities persist in tertiary education as well as in technical and vocational education and training, which remain male-dominated despite improvements in female participation.

3.6 Access to Housing and Essential Services

Access to housing and essential services in Kenya remains uneven, shaped by geography, income, and education. Despite constitutional guarantees, rapid urbanisation and affordability constraints resulted in a housing shortfall of 8.9 million units by 2022, with 77.9% of households citing affordability challenges and 78.8% of dwellings deemed inadequate, particularly in rural areas (KNBS, 2024).

Progress in access to sanitation and electricity has been modest but notable. Between 1990 and 2015, access to improved sanitation increased by just 5% (Ndungu, 2018). As illustrated in Table 2.6, sanitation coverage continued to improve thereafter, with the proportion of the population with access increasing from 24% in 2000 to 31% in 2022, representing a gain of 7 percentage points. Improvements were also recorded in both rural and urban areas during this period. Access to electricity expanded much more rapidly, rising from 15.2% of the population in 2000 to 76.0% in 2022, although progress was not linear throughout the period.

Notably, rural areas consistently reported higher access levels than their urban counterparts. This apparent paradox may be attributed to the rapid pace of urban population growth, which often outpaces infrastructure expansion, especially in informal settlements that lack adequate planning and waste management systems. There was modest but continuous progress across all four presidential regimes, reflecting the specific influences of policy choices, infrastructure investments, and shifting demographic pressures.

Table 2.6: Access to basic services in Kenya (2000–2022)

Year	Access to basic services (%)			
	Access to electricity	Total percentage of people using safely managed sanitation services (water supply, sanitation, and hygiene)	Rural	Urban
2000	15.2	24	26	20
2005	24.5	26	27	22
2010	19.2	28	29	24
2015	41.6	29	30	26
2020	71.5	31	32	27
2021	76.5	31	33	28
2022	76.0	31	33	28

Source: World development indicators (World Bank, 2025).

Electricity access expanded significantly, increasing from 5% of the population 25 years ago to 76% by 2022, reflecting the impact of large-scale state-led electrification programmes (World Bank, 2024). During President Moi’s administration, access remained inadequate as rapid urbanisation outpaced infrastructural development, creating housing deficits and expanding informal settlements. Electrification lagged, with less than 20% of the population connected to the grid by the early 2000s, largely due to underinvestment exacerbated by fiscal austerity and structural adjustment policies that deprioritised energy infrastructure.

Kibaki prioritised infrastructure and service delivery, spearheading the Rural Electrification Programme and the Energy Sector Recovery Project. Electricity access rose significantly from 16% in 2003 to 38.1% in 2012, marking one of the most substantial improvements since independence. While housing deficits persisted, driven by rapid urbanisation, the expansion of basic services signalled a gradual shift towards inclusion. Kibaki’s infrastructure-first approach laid the groundwork for subsequent regimes’ big projects, but it also left persistent affordability and spatial inequities in housing and services.

Uhuru Kenyatta’s presidency delivered the fastest expansion of basic services since independence, particularly in energy. Through initiatives such as the Last Mile Connectivity Project, electricity access rose to 76.5% by 2021. Urban-rural disparities, however, persisted despite headline gains in electrification. Affordable housing, a key pillar of the Big Four Agenda, also lagged far behind its targets.

Preliminary data from President Ruto’s administration indicate continued improvements in access to basic services, especially electricity. Coverage reached approximately 79% in 2023, largely building on earlier initiatives such as the Last Mile Connectivity Project. However, rural-urban disparities remain stark: 91% of urban households have grid access, compared to only 37.3% of rural households. According to the 2022 Kenya Demographic and Health Survey, 73.5% of households have access to improved drinking water sources, yet only 34.4% use clean fuels

for cooking. Urban areas continue to benefit from better infrastructure, such as street lighting and waste management, while rural regions lag behind (KNBS et al., 2023).

3.7 Health Outcomes and Life Expectancy

Kenya has made considerable progress in health outcomes since independence, with life expectancy at birth steadily rising to a projected ± 68 years in 2024, as illustrated in Table 2.7. Although this improvement has not been linear and has faced notable setbacks during health crises, the overall trajectory reflects the cumulative impact of public health investments and policy reforms across different political regimes.

Table 2.7: Life expectancy in Kenya (2000–2024)

Year	Health outcomes (life expectancy in years)
2000	56.08
2005	58.51
2010	60.92
2015	62.28
2020	61.60
2021	61.23
2022	63.55
2023	63.65
2024	67.70

Source: Macrotrends (n.d.).

Health outcomes in Kenya have shifted across different presidential administrations. During President Moi's tenure, life expectancy averaged 56 years, constrained by the devastating impact of the HIV/AIDS epidemic in the 1990s and the fiscal austerity associated with structural adjustment programmes. These pressures eroded public health budgets, weakened service delivery, undermined drug availability, and strained rural health infrastructure, widening inequalities between poor and better-off households.

Subsequent regimes recorded improvements, with life expectancy under President Kibaki averaging 60 years. This progress was supported by expanded HIV/AIDS treatment, increased investment in the health sector, and macroeconomic stabilisation. President Uhuru's administration continued this recovery, with life expectancy reaching approximately 64 years in 2022 and averaging 62 years overall. However, the COVID-19 pandemic temporarily reversed some of these gains, and persistent weaknesses in governance and financing limited the impact of Universal Health Coverage pilot programmes.

Life expectancy under Ruto's administration averages 65 years, reaching a high of 68 years in 2024. However, systemic inequalities continue to persist. Only 26% of the population has health

insurance, leaving about 74% dependent on out-of-pocket payments. Disparities are pronounced, with just 19% of rural residents and 5% of those in the lowest wealth quintile having coverage, compared to 40% in urban areas and 58% among the wealthiest households (KNBS et al., 2023; Ndemo, 2024). This unequal access continues to reinforce health inequities, as wealthier groups have access to advanced treatments while poorer populations struggle with shortages of medications, diagnostic tools, and trained personnel (Ndemo, 2024).

Overall, Kenya has made notable progress in expanding access to education, electricity, and healthcare across successive administrations. However, such advances have not translated into broad-based socio-economic inclusion due to enduring structural inequalities, widespread informality in employment, and pronounced spatial disparities in access to essential public services.

These socio-economic dynamics directly shape the electoral process in several ways. Recurrent election-related instability has repeatedly undermined economic performance, with sharp GDP contractions in 1992, 1997, 2008, and 2017 coinciding with disputed elections and violence. Secondly, persistent inequality and uneven service delivery, rooted in patron-client networks and elite bargaining, have heightened distributional tensions, making elections high-stakes contests over limited opportunities and fuelling ethnicised political competition. It is also evident that, although reforms such as free primary education, rural electrification, and Universal Health Coverage pilot programmes have expanded access, weak institutionalisation and short-term policy cycles, often intensified during electoral campaigns, have limited sustainability.

4 Ethnicity as the Core of Political Belonging: Religion and Moral Authority in Electoral Mobilisation

Kenyans experience a sense of belonging through multiple, intersecting identities, including ethnicity, religion, class, gender, and region, each of which shapes how individuals understand themselves and relate to political power. While expressions of national pride often emerge through shared achievements, such as excellence in athletics, the experience of citizenship and representation remains deeply mediated by ethnic and religious affiliations.

Religion, in particular, functions both as a marker of self-identity and as a site of political negotiation, shaping how communities mobilise and align during elections. As one participant in the EISA FGDs explained:

And then on the religious leaders ... look at a case like Reuben Kigame who has announced publicly that he will vie for presidential elections. Religious leaders are now being taken around being convinced to tell their congregants to vote for Kigame because he 'belongs' to the church. Ok, he has the right to vie, but why is he using that kind of campaign platform? He just needs to go out and campaign like the rest, but not coercing congregants through the bishop or church leader to vote for this particular candidate [FG2-KE-3:06:25].

This account illustrates how religious belonging can mobilise political action, with faith-based identity becoming a basis for electoral solidarity or endorsement. However, it was noted that

religious unity remains fragile and often overlaps with deeper ethnic loyalties. In Makina, Kibra, for instance, where the population is predominantly Muslim and Nubian, one participant observed:

You know the Makina area is Nubian dominated, and, at the same time, it is Muslim dominated ... There are a few Christians who converted into Islam. So, you find someone who is Luhya, Luo, Kamba, Kikuyu, they converted to Islam. But now during election periods, everyone else now goes back into their tribal cocoons. So, when the area MCA comes, you ... can only campaign well in mosques. If you go to churches, you are likely not to get anything, because for them they believe because this is our area, it is only a Muslim who is supposed to lead us ... But now when it comes to the ballot, the Muslim people, who are supposed to be voting for their own Muslim leader, rethink and say yes, I am a Muslim, but I am a Luhya. So, now they go to the ballot paper and see who is Luhya, and tick it there. So, eventually you find the area MCA is a pastor, and then they realise that they voted this guy in. So, this guy, how was he able to come in ... so the conflicts between the Muslims and the Christians now begin. So, it is also a challenge there [FG2-KE-1:37:49].

Although religion can thus serve as a mobilising platform, its influence is often mediated by ethnic arithmetic and perceptions of primary belonging. Another participant elaborated on this dynamic at the national level, observing how religious affiliation informs political alliances:

There are regions that are largely Muslim, and they would want to associate with certain political parties and leaders. Raila, for example, has perennially trumped up the aggression and suffering narrative, which resonates largely with the Muslim community. So, if you look at North Eastern, the trend of elections, and also the voter turnout, he is always the biggest beneficiary ... which now Kenya Kwanza, in my view, is trying to undo by incorporating leaders who are seen to be coming from these specific communities but are also from specific religions, largely Muslims, e.g. Joho, and the governor of Mandera. And if you look at certain establishments such as the Council of Governors, there's a reason why the chair is Muslim, from Wajir, the governor of Wajir. And how that also sets up the tone for acceptance at the national level, so that you belong to the government, and the narrative on how they perceive you is also different ... its largely about belonging and perception [FG1-KE-2:28:34].

These insights reveal that religion remains a significant yet strategically deployed form of identity, shaping both political belonging and elite coalition-building. However, although religious affiliation can provide a sense of shared moral or communal grounding, it often becomes secondary to ethnic arithmetic when political competition intensifies.

Ultimately, ethnicity continues to be the most salient and politically consequential marker, embedding an ethno-centric logic within Kenya's state-building process. Bureaucratic practices, such as requiring individuals to declare their tribe when applying for a national identity card, reinforce this by conflating citizenship with ethnic affiliation. Consequently, many citizens continue to perceive legitimacy, representation, and belonging primarily through the lens of ethnicity rather than national or other forms of identity (Akoth, 2011).

Ethnicity has not always been a defining characteristic of modern Kenyan society. This statement supports the argument made by Mueller (2022) that ethnicity is not a fixed or primordial construct but rather a socially constructed and malleable concept. Cheeseman et al. (2020) argue that historically, no single ethnic group in Kenya dominated the others, largely because none had

access to centralised state power. As a result, interethnic relations during the precolonial period were relatively balanced and cooperative, similar to the patterns of interaction seen in the nineteenth century. This interpretation is supported by the KHRC (2018), which observes that ethnic identities in the precolonial era were fluid and flexible. Communities often interacted through migration, intermarriage, trade, and occasional conflict, without rigid or exclusionary notions of the 'ethnic other'. Furthermore, power was understood not as centralised domination but as relational authority embedded within networks of reciprocal, though often unequal, obligations among kin, dependants, and those in servitude.

Although ethnicity was already a pre-existing cultural reality, it became politicised and institutionalised under colonial rule. This was achieved through practices that transformed dynamic social identities into fixed political and administrative units. Colonial rule, therefore, hardened ethnic divisions by linking them to differential access to land, resources, and political power (Akoth, 2011; Cheeseman et al., 2020; Sandbrook, 1985). This ensured that ethnicity became not merely a marker of cultural identity but also a structural basis for inequality and political mobilisation in the postcolonial state. Although ethnicity predated colonialism, colonialism reshaped, instrumentalised, and embedded it within Kenya's political economy, laying the groundwork for the politicised ethnic cleavages that persist today.

The 2010 Constitution sought to mitigate ethnic divisions by decentralising power and resources. However, ethnicity continues to influence political alignments even at the county level, where local elites mobilise communities around access to devolved funds. Given that counties are largely organised along ethnically homogeneous lines, this decentralisation has intensified competition for representation and control, often reinforcing exclusionary practices. The NCIC (2016) audit illustrates this problem, showing that since 2013, only 31.9% of counties have complied with the inclusivity requirement in Section 65 of the County Governments Act, while 68.1% have recruited more than 70% of their staff from a single community, thereby reinforcing exclusionary practices.²⁴ Devolution has also, at times, deepened ethnic divisions and created new forms of conflict (Gathii & Otieno, 2018, p. 605; Lind, 2017).

While ethnicity is a lived reality in the country, it is not inherently divisive. Oloo (2011) argues that identity is flexible and is often strategically activated to advance both individual and collective interests. In this sense, ethnic identity functions as a political resource, deployed to navigate access to power and state benefits rather than as a fundamental obstacle to national cohesion. A participant in the EISA FGD supported this statement by observing:

And I think sometimes, there are positive and negative aspects of ethnic mobilisation. For the purposes of Kenya, we tend to use the negative aspect of it, where we mobilise at the expense of the other person. So, in Kenya, we use that mostly to mess up other communities, but I think we can use it positively. But Kenya is largely ethnic based, so

²⁴ Section 65(1)(e) provides that in selecting candidates for appointment, the County Public Service Board shall consider the need to ensure that at least 30% of the vacant posts at entry level are filled by candidates who are not from the dominant ethnic community in the county.

Raila, Ruto, Kalonzo, and Uhuru Kenyatta, these are all tribal or 'ethnic chiefs' [FG1-KE-2:43:42].

Contributing to the discussion on ethnicity in politics, Kivoi (2010) observes that voting based on ethnicity persists irrespective of candidates' ideological positions or policy agendas. This entrenched voting pattern reveals a deep-seated belief among citizens that political leadership primarily serves as a vehicle for distributing benefits to one's ethnic community. This view is encapsulated in the phrase "it is our turn to eat", popularised by John Githongo, which reflects the belief that access to state power ensures preferential treatment for one's ethnic group and access to state resources.²⁵

Adding further nuance, Kramon et al. (2021) demonstrate that urban migration can reduce ethnic salience while simultaneously weakening social trust. Their findings indicate that long-term urban residents, who have lived in a city for an average of 7.5 years, report a weaker attachment to their ethnic origins, with scores decreasing from 2.86 to 2.75 on a three-point scale. However, they also exhibit lower levels of trust towards other groups, especially during periods of electoral competition. Consistent with Putnam's (2007) argument, this suggests that while urban migration may dilute the intensity of ethnic identity, increased social diversity can initially erode interpersonal trust more broadly. This makes the effects of urbanisation on social cohesion contingent on the wider political and institutional context. Collectively, these findings reinforce Oloo's (2011) assertion that ethnicity is flexible and context-dependent, capable of being either instrumentalised for exclusion or constructively harnessed to foster belonging, solidarity, and social cohesion, similar to the integrative communal structures that characterised precolonial societies.

4.1 Shifting Identity Landscapes Beyond Ethnicity

At the same time, other social identities are gradually reshaping Kenya's political landscape. As Biegion (2018) observes, gender, youth, and ideological orientations are playing an increasingly important role in voter decision-making. This trend has been most evident in recent elections, where youth discontent, gender advocacy, and issue-based appeals shaped campaigns and voter preferences in 2013, 2017, and 2022. Specifically, youth identity, rooted in unemployment, exclusion, and disillusionment (KNBS, 2022), has manifested in protest and dissent. This has included youth-led violence in 2007 (Kagwanja & Southall, 2009), demonstrations in 2017 and 2022 (Cheeseman et al., 2017; Murunga & Machio, 2024), and most recently, the 2024 Gen Z protests that transcended ethnic divisions.

Gender identity has also gained prominence as a dimension of Kenya's political landscape, shaping opportunities, roles, and participation in both public and private spheres. While youth

²⁵ The perception is that when a member of an ethnic group ascends to a powerful position, such as the presidency or a key ministerial post, benefits will flow disproportionately to that community. These include preferential access to public sector employment, infrastructure development in their regions, and lucrative government contracts awarded to ethnically affiliated businesses.

identity has often been expressed informally through protest, dissent, and generational solidarity, gender identity has gained formal recognition through constitutional reforms, global commitments, and domestic struggles for equality. The 2010 Constitution enshrines the two-thirds gender principle, which mandates that no more than two-thirds of the members in elective or appointive bodies be of the same gender. This provision acknowledges that gender is not only a social category but also a political identity central to representation and inclusion.

Despite constitutional guarantees, the political journey of women in Kenya has been challenging, shaped by deeply entrenched socio-cultural norms, structural barriers, and gender-based violence that continue to limit their access to and participation in political leadership. Although there are constitutional guarantees of equality and affirmative action measures, many women leaders still face exclusionary attitudes rooted in patriarchal notions of belonging and identity. As one participant observed:

On the issue of belonging, two ladies come to mind because they have spoken about it; that is Governor Cicily Mbarire of Embu, and also the governor of Homa Bay. When they were vying, because they were told to go vie for a seat where they were born. Cicily was born in Embu but married to a man in Busia. She was told to go to vie in her husband's place. She had been an MP and already had a track record (in Embu). Gladys Wanga vied where she is married but had been told to go vie where she was born and vie from there. Now these are women who are leaders in their own right, but are reminded that they do not belong here, but to another place [FG1-KE-2:25:54].

Despite these obstacles, female candidacy has grown markedly, from 971 in 2013 to 1 955 in 2022 (IEBC, 2017, 2023; National Democratic Institute, 2018), representing a 101% increase over the decade, or about 42% per electoral cycle. Women's representation in Parliament has also followed an upward trajectory, though unevenly. Between 1969 and 1997, women held fewer than 5% of the seats, but by 2007, their representation had risen to 10%, reflecting stronger advocacy and constitutional debates on inclusion. The most significant gains occurred after the 2010 Constitution, with women's representation nearly doubling to 19.8% in 2013 and increasing further to 23.4% in 2022.²⁶ Although still below the constitutional threshold, these gains signal widening participation and increased visibility.

Additionally, policy debates and governance performance are increasingly shaping electoral behaviour, particularly in contexts where ethnic loyalty alone cannot guarantee victory. For instance, as documented by the KHRC (2018), the 2007 debate over *majimbo* (federalism/ regionalism) demonstrated how policy positions could polarise the electorate. At its core, the debate centred on whether *majimbo* would promote fairer regional resource distribution and local autonomy or instead institutionalise ethnically defined territories where outsider communities faced risks of displacement, loss of land rights, and political marginalisation. Consequently, opposition to *majimbo* led to increased support for Kibaki, particularly among Kikuyu voters who viewed *majimbo* as exclusionary. Likewise, Mike Sonko, the former governor

²⁶ IED National Elections Data Book 1963–1997, 2002 Electoral Commission records (as cited in Wanyande, 2006), Inter Parliamentary Union, Ministry of Public Service, Youth and Gender Affairs (Government of Kenya, 2019, p. 21).

of Nairobi (2017–2020), mobilised diverse support not through ethnic appeals but by delivering tangible services to low-income communities, such as those offered by the Sonko Rescue Team. Most recently, the 2022 elections reflected a shift towards issue-based politics, with campaigns increasingly focused on unemployment, economic grievances, and governance reforms rather than solely on ethnicity, underscoring the likely gradual reconfiguration of Kenya's political identity landscape.

5 Participation in Kenya's Political and Public Life: Patterns, Determinants, and Barriers

5.1 Trends in Electoral Participation (1992–2022)

The Constitution of Kenya provides a strong legal basis for inclusive engagement in political processes. While the preamble affirms that all sovereign power belongs to the people, to be exercised either directly or through elected representatives, Article 10 recognises public participation as a national value and mandates Parliament to facilitate citizen involvement in legislation and committee work. These provisions affirm citizens' right to contribute to democratic governance and to shape decisions of national importance.

Within this constitutional framework, electoral engagement, particularly through voting, remains the most tangible dimension of citizen participation. However, voter turnout in Kenya has fluctuated markedly across electoral cycles. As demonstrated Table 2.8, the reintroduction of multiparty politics led to a sharp increase in voter turnout compared to the post-independence one-party era, rising from 40.7% in 1988 to 67.5% as Kenyans embraced the opportunity to exercise their newly restored political freedoms. Although slightly lower in 1997 (64.2%), participation remained higher than during the preceding one-party era, with turnout largely driven by the electorate's determination to influence political change.

Table 2.8: Registered voters and voter turnout in Kenya (1992–2022)

Election year	Registered voters	Voter turnout	Percentage turnout
1992	7 956 328	5 437 769	67.5
1997	8 967 569	6 173 171	64.2
2002	10 451 150	5 969 181	57.20
2005 (Referendum)	11 800 000	6 168 072	52.00
2007	14 296 180	9 877 028	69.00
2010 (Referendum)	12 616 627	8 887 652	70.44
2013	14 388 781	12 330 028	86.00
2017	19 611 423	15 114 622	78.00
2022	22 120 458	14 326 641	64.77

Source: IEBC (2017, 2023).

Although the 2002 elections reflected widespread enthusiasm for the NARC campaign, voter turnout was unexpectedly low at 57.2%. Throup (2003) attributes the decline to three main factors: (i) flaws in the new rolling electoral register, which included an estimated one million deceased individuals and failed to remove most ineligible names, thereby distorting participation rates; (ii) possible inflation of turnout figures in previous elections due to KANU's manipulation in its strongholds, which made the 2002 figures appear lower by comparison; and (iii) the timing of the election, which was held immediately after Christmas when many voters were still in rural areas and unable to access their urban polling stations.

The referendums in 2005 and 2010 registered moderate to high voter engagement, with turnout rates of 52% and 70.44%, respectively. The 2010 referendum in particular reflected widespread public interest in constitutional reform and represented one of the highest levels of civic engagement outside general elections.

Participation rebounded to 69.7% in the highly contested 2007 elections, followed by an upward trend in 2013, when the highest turnout in Kenya's history (86%) was recorded. This was largely attributable to enthusiasm and was regarded as a litmus test for the new constitutional order. However, subsequent elections showed a declining trend, with turnout falling to 78% in 2017. The 2017 repeat presidential election was marred by violence and boycotts in opposition strongholds, depressing turnout in the affected regions. Turnout further fell to 64.77% in 2022, the lowest since the constitutional reforms. This was attributed to voter apathy, especially among the youth, as well as other factors including economic disillusionment, mistrust of institutions, and logistical barriers.

5.2 Determinants of Voter Participation and Civic Engagement

5.2.1 Exercising Civic Rights and the Duty to Participate

For many citizens, participating in elections and other democratic processes is not merely instrumental but also a reflection of their civic duty and commitment to democratic ideals. This group is motivated by a sense of citizenship, moral responsibility, and belief in democratic legitimacy rather than by material or ethnic considerations. The act of voting, in this context, represents both an expression of political agency and an affirmation of belonging to the national community. As one participant in the EISA FGDs explained,

There are those who want to genuinely participate because it is a democratic right [FG1-KE-2:46:3].

5.2.2 Erosion of Electoral Participation

The downward trajectory of voter turnout reflects both global and local dynamics. Globally, turnout has declined in recent decades. Scholars such as Kostelka and Blais (2021) attribute this downward trend to generational changes and voter fatigue, which often result from the increasing frequency of elections and the expansion of elective institutions. Similarly, in the Kenyan context, the number of electoral events has increased significantly since the early 2000s.

These events include constitutional referendums, repeat presidential elections, elections for newly established devolved governments and assemblies, as well as numerous by-elections (Gathara, 2022). The proliferation of electoral processes may have contributed to the decline in voter turnout in the country.

5.2.3 Youth Apathy, Declining Voter Registration and Trust

Kenya's declining voter turnout has been strongly associated with rising youth apathy, reflected in reduced voter registration and participation. Ahead of the 2022 elections, the IEBC registered only 2.5 million new voters against a target of six million, a steep drop from the 5.2 million new voters registered between 2013 and 2017 (Iraki, 2022). This decline contrasts sharply with the 2010 constitutional referendum, when the Interim Independent Electoral Commission (IIEC) exceeded expectations by registering 12.4 million voters, representing 62% of the eligible population (IEBC, 2013). Despite the overall increase in registered voters, from 14.4 million in 2013 to 22.1 million in 2022, youth participation declined significantly, dropping from 51% in both 2013 and 2017 to 39.8% in 2022. Additionally, newly eligible 18-year-olds comprised only 0.53% of the total electorate (IEBC, 2017, 2023).

AfriCOG and Infotrak (2016) attribute this disengagement to disinterest in politics (27%), competing personal commitments (25%), and scepticism about electoral credibility (25%). Apathy is most pronounced in the North Eastern (78%), Nairobi (45%), Western (45%), and Coastal (42%) regions. Analysts further link this trend to disillusionment with political elites, corruption, and mistrust of institutions, interpreting youth apathy as a silent protest against systemic governance failures and unfulfilled democratic promises. Participants in the EISA FGDs offered candid reflections that contextualise these statistics. One participant connected youth frustration to the failure of public participation and elite-driven politics:

I'll say that one of the milestones of this book, The Kenya Constitution, was public participation so that the people's voices can be heard in every decision-making process in terms of policy ... One of the reasons why [Kenya's] Gen Zs were very agitated was because the public participation was not done. So, they were just there championing the agenda of their parties and championing the agendas of their political party leaders. So, you see, they are not representing us, they are representing certain individuals, who are NOT the general Kenyans [wananchi] [FG2-KE-2:27:46].

Another participant captured the pervasive sense of futility and mistrust surrounding elections:

For us, it's that you already know the winner, so why go and vote? They know who is going to win even before they vote, so why even struggle to go and vote? [FG1-KE-2:45:15].

This disillusionment was echoed by another participant, who bluntly asserted:

The process is rigged! It's already rigged in favour of someone else [FG1-KE-2:44:35].

These accounts corroborate Birch's (2010, pp. 1603–1604) observation that voters' perceptions of electoral integrity are linked to turnout. When elections are seen as transparent, credible, and legitimate, citizens are more inclined to participate. Conversely, doubts about the credibility or fairness of the process tend to reduce voter engagement by eroding confidence in the value of

participation. This pattern aligns with findings from AfriCOG and Infotrak's 2016 pre-election survey, which revealed that while 63.3% of adult Kenyans expressed a willingness to vote in subsequent elections, 36.7% remained either unwilling or undecided, citing mistrust of the electoral system as the principal deterrent.

5.2.4 Electoral Violence

Studies examining the relationship between electoral violence and voter turnout have yielded mixed conclusions. In some contexts, violence suppresses participation by instilling fear and restricting access to polling stations, while in others, it mobilises voters by heightening polarisation and the perception of high stakes (Cheeseman et al., 2017). Kenya reflects both of these dynamics. The 2007–2008 post-election violence discouraged participation in subsequent by-elections, but the 2013 general elections, framed as a test of peace, achieved a record turnout of 85.9% (IEBC, 2013). Conversely, the 2017 electoral cycle was marked by violence and restrictions on political participation, particularly in opposition strongholds. Following the August general election, security forces used excessive and, in some cases, lethal force against protesters and residents in opposition-dominated areas, including Kisumu and parts of Nairobi (Amnesty International & Human Rights Watch, 2017). These tensions persisted into the October repeat presidential election, which experienced significant suppression in opposition strongholds such as Kisumu, Homa Bay, and Siaya, where unrest and state crackdowns rendered voting inaccessible in some areas (European Union Election Observation Mission, 2018; The Carter Center, 2018).

Violence thus remains a critical determinant of turnout in Kenya, both by deterring and, at times, mobilising citizens. EISA FGD participants provided powerful testimonies underscoring how security concerns, displacement, and politically instigated violence continue to shape voter behaviour, particularly in marginalised and conflict-prone regions. One participant observed:

Recently we consolidated ... We caught it there that for them, insecurity hinders them from coming out and walking towards where registration or voting takes place, and sometimes some of those instances are engineered against certain communities [FG1-KE-2:17:36].

Another participant highlighted how political actors strategically use violence and forced migration to suppress votes:

Migration. This one makes the politician so happy because in case I am unpopular in an area, then what I'll do is make sure I will disorganise you so that you can migrate. When you come, it'll be after he or she has already been elected. This happens not only in Nairobi but also on the other side. So, at the end of it, you are not even going to find somebody that you wanted to elect, or a good leader. You're going to meet somebody who just forced himself or herself inside there [FG2-KE-00:46:46].

These dynamics disproportionately affect vulnerable populations, especially women and persons with disabilities. As one participant noted:

There are more cases than not that insecurity is engineered for political purposes, but the people who bear the greatest brunt of it are women and people with disabilities,

especially marginalised groups, not just as voters, but also as candidates and people who should constitutionally want to come up and vie for positions, but because we know that there is violence happening, then you'll find that women and PWDs [persons with disabilities] will keep away from it [FG1-KE-2:19:45].

5.2.5 Structural and Institutional Barriers to Participation

Weak civic and voter education

Access to accurate, timely, and relevant information is crucial for promoting political engagement and ensuring meaningful participation in electoral processes. However, in Kenya, the effectiveness of civic and voter education remains limited by persistent challenges such as generational disparities in engagement and inadequate outreach, as reflected in consistently low effectiveness ratings over time. In 2007, only 24% of participants rated civic education as effective (Wanyande, 2006), and by 2016, nearly half (49.2%) still considered the IEBC's efforts inadequate (AfriCOG & Infotrak, 2016). Although perceptions improved in 2022, with 64% of participants rating civic and voter education as effective (Consortium for Election Research and Advocacy, 2023, cited in Uraia Trust, 2024, p. 12), participation varied considerably across age groups, with 46% of older citizens reporting involvement in voter education activities compared to only 34% of youth.

This generational disparity suggests that current civic and voter education strategies resonate more strongly with older populations, potentially exacerbating the decline in youth turnout. Additionally, studies such as the African Union and The Carter Center Election Observation Reports of 2022 observed that many young and first-time voters lacked a sufficient understanding of registration procedures, voting processes, and the broader democratic significance of elections. This information gap likely contributed to their limited participation in the 2022 polls (Uraia Trust, 2024, p. 5). As one participant in the EISA FGDs succinctly put it:

Then another thing [barrier] is information, as they've said. In my ward, just ask anyone who is 18 or 24 what the role of an MCA is, and they will not know. There's someone who told me that the MCA's job is to provide them handouts, keep them busy with small jobs, and buy them water tanks for small group initiatives [FG2-KE-1:11:08].

The transactional conception of political office, as reflected in this statement, diminishes citizens' ability and motivation to engage meaningfully in electoral processes or to hold their representatives accountable. When political leadership is perceived primarily as a conduit for personal or material gain rather than public service, citizens are more inclined toward clientelist participation, thereby weakening democratic accountability and the integrity of representation.

Ethnic voting and polarisation

Ethnic identity remains the most powerful axis of mobilisation. Evidence shows that politicians often campaign on promises of targeted benefits to their own communities and that incumbents systematically favour their co-ethnics in the allocation of public goods and services (Franck & Rainer, 2012; Wantchekon, 2003). This zero-sum logic reinforces exclusion, causing citizens

from groups outside of power to disengage, feeling that elections will not benefit them. Ethnic polarisation, therefore, motivates turnout within blocs but discourages broader national participation, undermining trust in the inclusiveness of the process.

Institutional design

Comparative research indicates that proportional representation systems generally foster higher levels of political participation than majoritarian systems (Blais & Carty, 1990). In the Kenyan context, the majoritarian, winner-takes-all electoral framework excessively concentrates political power in the presidency, thereby heightening the stakes of national contests. Operating within a political landscape deeply shaped by clientelism and patron-client relations, this structure tends to privilege groups aligned with the ruling elite, particularly when ethnic affiliations overlap with presidential patronage networks. As a result, minority and smaller communities often perceive themselves as structurally disadvantaged, with limited prospects for electoral success or equitable access to state resources, especially when their ethnic counterparts are not integrated into the dominant coalition. This, therefore, inadvertently contributes to political disengagement.

Social mobility and civic participation

Despite constitutional guarantees of equality and political rights, structural barriers continue to limit civic participation. Persistent unemployment, inequality, and economic marginalisation, shaped by both exogenous and endogenous factors, have fostered widespread disillusionment, particularly among youth. Exogenous pressures include global shocks in commodity and fuel prices, recurrent droughts and climate variability, as well as conditions related to structural adjustments and external debt. Endogenous factors, by contrast, include long-standing patterns of land dispossession, patronage-driven and corruption-prone governance, weak industrial and job-creation policies, demographic pressures from a rapidly expanding youth population, and an education system that is misaligned with labour market demand. Against this backdrop, many perceive political participation as futile, viewing elections as exercises that recycle elites rather than deliver tangible socio-economic change. As one participant in the EISA FGDs observed, poor governance and limited access to public goods fuel voter apathy:

So, sometimes I think because people sometimes do not have these amenities, what we are seeing people not voting for is because we have people who have not seen the government. They've not gone to a public health facility that works, they've not gone to a public school that is functioning. So, the social issues definitely hinder people from exercising these things because they form perceptions [FG2-KE-1:13:52].

Another participant echoed this frustration, linking poor public services directly to political disengagement:

And then on the issue of service delivery, why should I go vote and there are no medicines in hospitals, no capitation in schools for education, and so many other things [FG1-KE-2:45:35].

Access to identification documents

Access to national identification (ID) cards, which is a prerequisite for voter registration, remains one of the most pervasive structural barriers to participation. The IEBC (2017) reported that the main factor inhibiting voter registration among youth was the lack of ID cards, often due to bureaucratic delays or restrictive vetting procedures. Findings from a nationwide perception study by InfoTrack Research and Consulting (2024) further substantiate this institutional exclusion, revealing that 41% of participants identified the lack of national ID cards as the most significant barrier to voter registration. Participants in the EISA FGDs highlighted how ethnic profiling, bureaucratic inefficiency, and politicisation affect access to ID cards:

When I was taking my daughter to register for her ID, we were taken through a very rigorous process ... The chief tells me to go to the village elder so that they can ascertain that we live there. A village elder, in an urban centre? ... We had to 'buy tea' for the elder to append his signature ... Because my daughter's name is friendly (ethnically appealing) to the regime, her ID was out in three weeks. But a counterpart of hers who is a classmate and comes from a different, Part of the country they were told they had to go back to nyumbani [upcountry home], not even where you were born – since they were born in Nairobi but going all the way back to their home village to go and ascertain. So, this young man contemplated whether he had the time, and also whether his parents too had the time to take him; and that would take almost a week, so it means for school I do away with it. So, when it comes to issues of accessibility, it depends on who is in power and is your ethnicity aligning with the government of the day, for you to be able to get that ID is a faster way [FG1-KE-2:06:12].

These frustrations were further reflected in accounts of bureaucratic discrimination based on ethnic identity and regional classification. As one participant explained:

My ID reads that I'm born in Butere, but I'm actually born in Siaya. When I went to apply for my ID, I was told that I am a Luhya and couldn't be given an ID from Siaya [my place of birth]. So, I had to cross to another region I'd never been to, just to obtain an ID. Later, when applying for a passport, I was told my ID and birth details show I am two different people. It reminded me of 2007 [ethnic profiling] [FG2-KE-00:28:10].

In marginalised regions such as North Eastern Kenya, the situation is compounded by onerous vetting processes:

... like North Eastern, where they have to go through a vetting process to verify that you are a Kenyan, and that you are a local, and then you must get someone to guarantee that you are not affiliated to anyone involved with extremist group, or organisation or individual. I think to a larger extent that really disenfranchises people ... So, if, for example, you want to go to Garissa town, and you are at the border of Tana River and Garissa, look at the road infrastructure, so bad. You are not even sure that you will get the assistant county commissioner or the chief [FG1-KE-2:09:41].

The politicisation of ID issuance further undermines equal participation:

So, there are so many challenges that sometimes we do not think through ... so the leadership more or less tend to negotiate amongst themselves, without seeking the active engagement of the locals ... but to push it further ... is the politicisation of ID cards, where certain regions are seen to be closer to the powers that be, and where if you want to interfere with that kind of arrangement, then anything can be done, even including violence [FG1-KE-2:09:41].

Citizenship thus becomes conditional, filtered through ethnic, political, and regional lenses that determine one's ability to participate fully in democratic life.

Poverty, education, and spatial constraints

Economic insecurity: Economic insecurity is another structural constraint that influences participation. Many citizens face a stark trade-off between meeting daily survival needs and fulfilling their civic obligations. For those living in poverty, particularly women and informal workers, the time spent voting results in lost income or unpaid labour. As one participant in the EISA FGDs observed:

And for their participation as voters, they have other needs weighing on them, going to the market, and the shamba (farm) in the morning ... there's also the question of economic power, why would I spend 5–6 hours in queue and I get nothing out of it, while I could be in the market and get some money to go back home with. So, there are those considerations, because with women they are also the economic stability of the household. So, the husbands go to queue for 8 hours, but the women have to go and pick food to eat [FG1-KE-1:42:55].

Similarly, elderly and physically disabled populations face logistical and mobility challenges, relying on ad hoc community support:

I wanted to talk about barriers ... what is done in terms of us getting people to vote ... now the barriers are like poverty, there are people, like the elderly ... who might not be able to travel to that place. So, you find somebody who says that I have several boda-bodas [motorbike taxis] here and will take people. So, poverty plays a very big part, even in terms of the chaos that happens [FG2-KE-1:13:21].

Education: Education is a key determinant of political participation, shaping citizens' ability to access information, evaluate candidates, and make informed choices. Participants in the EISA FGD repeatedly linked limited education to political manipulation and disengagement:

On the issue of education, the ability to access information and process it in a way that you can make informed judgement, so you won't vote for someone because of manipulation or financial inducement [FG1-KE-2:03:20].

However, access to education remains uneven, reflecting both poverty and inadequate public investment:

Then, now it comes to the issue of the accessibility of this education. Remember our primary education is free, but how free is free? So, that if our children go to the public school, there will always be the issue of being asked for money for books and other different things, so it loses that idea of how free this education is. When you go to high school education ... you have to pay a certain amount to access that education. So, you look at the households that we have in Kenya, the prevalence of poverty, and also what we call the poverty line. How many can afford education? [FG1-KE-1:58:09].

The lack of equitable educational opportunities also has long-term implications for representation and leadership, as a participant observed:

So, it means most of these children will not have access to education ... And if they do not have access to education, then once they are 18 years and they want to vie, they are being asked for a degree if they want to become an MP. And, MCA, they tell you it's that

Form 4 Certificate, but MP degree. For you to be a president, also there's that threshold of the degree. Where are you going to get it if access to education is not that free, and it's not that accessible? [FG1-KE-1:58:09].

As one participant concluded:

Education also marginalises voters' ability to engage in elections properly, from an informed perspective. So, from access to information on the electoral process, access to information on the candidates to information on challenging certain processes that do not go well and even having that knowledge that there is a particular mechanism that you can approach. Certainly, that impacts an individual citizen's ability to actively engage and participate in electoral processes in a much more meaningful manner [FG1-KE-1:53:37].

Spatial and security constraints: For pastoralist and border communities, geographical isolation, insecurity, and poor infrastructure further restrict participation, making voting risky. One participant observed:

I also think about the issue about the landmass. So, they have a very big coverage, and very low populations. And I think that it also provides some difficulties. Like you said, one might find it more convenient to just vote at the nearest polling station, even though it may fall in a different jurisdiction. Where I am staying and where I have to go to vote is very far. So, I think that also provides a challenge for them to meaningfully engage [FG2-KE-2:15:57].

These impediments indicate that not all registered voters in Kenya have equitable access to the ballot, thereby undermining inclusive democratic participation.

6 Declining Institutional Trust and the Cyclical Crisis of Legitimacy in Kenya

Trust in public institutions is essential for maintaining the legitimacy of democratic governance and preserving social cohesion. This legitimacy operates along two interdependent dimensions. Procedural legitimacy derives from public perceptions that authority is exercised through transparent, just, and impartial processes (Levi et al., 2009; Tyler, 1990, 2006), while outcome legitimacy stems from the perceived effectiveness of the state in delivering public goods and improving citizens' well-being (Bernstein & Lü, 2003; Fjeldstad & Semboja, 2000). These dimensions are mutually reinforcing, whereby without credible processes, outcomes lose legitimacy, and without tangible outcomes, procedural fairness appears hollow. In Kenya, domestic perceptions of both procedural and outcome legitimacy remain fragile.

6.1 Electoral Management Body: Integrity and Public Confidence

In Kenya, public confidence in the EMB has progressively declined, eroded by recurring allegations of bias, inefficiency, and political manipulation. Since multiparty politics were reintroduced in 1992, every presidential election that of 2002 has been legally contested, reflecting persistent doubts about electoral integrity and institutional impartiality. The frequent disbanding and reconstitution of electoral commissions after nearly every election have perpetuated a cycle of mistrust, in which disputes consistently lead to institutional restructuring rather than substantive reform.

The ECK, which was responsible for the 1992 and 1997 elections, faced widespread criticism. The elections were widely regarded as neither free nor fair, being marred by irregularities and administrative malpractice that undermined public confidence (Dietz, 2000). Although the 2002 elections temporarily restored public confidence through a peaceful transition of power, the 2007 elections resulted in a collapse of electoral legitimacy, culminating in the worst post-election violence in Kenya's history. In response to this crisis, the Kriegler Commission recommended disbanding the ECK, which led to the establishment of the IIEC. The IIEC subsequently gained credibility by effectively administering the 2010 constitutional referendum and several by-elections. The IIEC was replaced by the IEBC in 2011.

A key reform introduced by the 2010 Constitution addressed the appointment of electoral commissioners, which had historically been one of the most politically manipulated aspects of electoral administration. Before 2010, commissioners were effectively presidential appointees, selected through a discretionary and opaque process, which made the ECK structurally dependent on the executive. Although the Inter-Parties Parliamentary Group reforms of 1997 introduced limited opposition input, presidential dominance persisted. After 2010, the constitutional and statutory framework established a more competitive, transparent, and multi-actor appointment process. An independent selection panel, drawn from several institutions, publicly advertises vacancies, shortlists candidates, and conducts interviews before submitting the names to the president. The president's nominees must be vetted and approved by the National Assembly. Anchored in Articles 88, 249, 250, and 251, this framework was designed to depersonalise appointments and enhance the IEBC's insulation from political influence.

However, these institutional safeguards have neither been sufficient to prevent the further erosion of legitimacy nor fully insulated the commission from political contention, partly because they operate within a deeply polarised political environment. The appointment framework, though procedurally more transparent than its pre-2010 predecessor, remains embedded in a partisan context in which nominees are often perceived as aligned with competing political interests. At the organisational level, weak institutional cohesion and the absence of a strong technocratic culture sometimes further undermine collective neutrality. These dynamics make internal divisions and factional alignments highly likely, even within a commission that is constitutionally independent.

In this context, the IEBC's credibility began to wane following the 2013 general elections, when failures in the electronic voter identification and results transmission systems forced a return to the manual system. These issues prompted accusations of deliberate manipulation (Oluoch, 2017). As a result, the IEBC faced sustained opposition-led protests that ultimately led to the resignation of its commissioners.

The new commission appointed before the 2017 elections faced a similar fate. Following the disputed 2017 presidential election, which the Supreme Court later annulled, the IEBC's legitimacy declined even further. Four commissioners resigned amid growing public scrutiny and political pressure. Although a new cohort of commissioners was later appointed, factional

tensions persisted, culminating in public disputes over the 2022 presidential election results and the eventual dismissal of four dissenting commissioners. The remaining three commissioners subsequently retired, leaving the IEBC without a functional leadership structure for more than two years. This institutional vacuum persisted until new appointments were made in July 2025 to prepare for the upcoming general elections in 2027.

This recurring cycle of disbanding, reconstitution, and reform has left the electoral institution fragile, lacking continuity and institutional memory. Each electoral cycle thus begins under a cloud of public scepticism and ends with renewed calls for reform. Persistent litigation of presidential results, from 1992 to 2022, further demonstrates enduring distrust in the EMB's capacity to produce results perceived as reflective of the people's will. In assessing whether Kenya's elections truly reflect the will of the people, one participant in the EISA FGDs remarked:

I think for certain elections, it reflects the true election. For a certain calibre of election offices [positions], let's say, for example, at MCA level, it's almost guaranteed that this is the true reflection of the election. But as we ascend [to higher positions], it becomes very debatable as to how and what's the true reflection of the election. At that local level, it's a reflection of the true results of the people. Because there are other dynamics, that it needs to be flown to Nairobi, Bomas, and to have a copy A-B-C cleared that these are the true results [FG1-KE-2:54:31].

Another participant offered a more nuanced interpretation, underscoring the distinction between credible outcomes and flawed processes:

If you are talking about actual results, then I would not necessarily say no. But if we are looking at the whole rubric of the electoral process, and how at different points in time there are challenges, and there are potentials, and that at a certain time you've seen evidence of a certain malpractice interference to the advantage of certain candidates, so that by the time we are getting to actually casting votes and counting of the results ... have what the Electoral Commission announces as the final results, and perhaps vis-a-vie a parallel vote tallying and counting, by ... PVT ... then you'll find instances where independent verification of those results will actually match what the Electoral Commission has announced ... So, for me, I think the question in Kenya is not necessarily "Do the results match?" because political actors have found ways of ensuring that they are tracing through the process and ensuring that whatever is announced eventually, mtatafuta [You'll search for it] and the courts will dismiss it as 'wild goose chase' and 'hot air' but yet they had a hand in boundary delimitation, and they had a hand in voter registration and in ensuring that registration favours their regions. And so, turnout eventually will favour them and so results will also favour them. And so, for me it's not a question of do the results reflect the will of the ballot, if we are unpacking the will to mean results, then I would say no. But if you are unpacking the will to mean processes conducted in an accountable manner, in a transparent manner, in an inclusive manner, then there's a challenge there [FG1-KE-2:55:34].

The challenges facing the EMB have been compounded by a persistent struggle between political control and institutional independence. Prior to the 2010 constitutional reforms, the executive wielded near-total influence over the appointment of electoral commissioners, frequently selecting individuals perceived as loyal to the ruling regime. Despite the 2010 Constitution's safeguards, such as the introduction of a selection panel and parliamentary vetting, political interference in commissioner appointments persists. The enduring perception that

commissioners are politically aligned has left the IEBC with a legitimacy deficit, undermining both its authority and credibility.

These reflections align with broader empirical trends showing a persistent and deepening decline in public trust in Kenya's electoral processes, as shown in Figure 2.1.

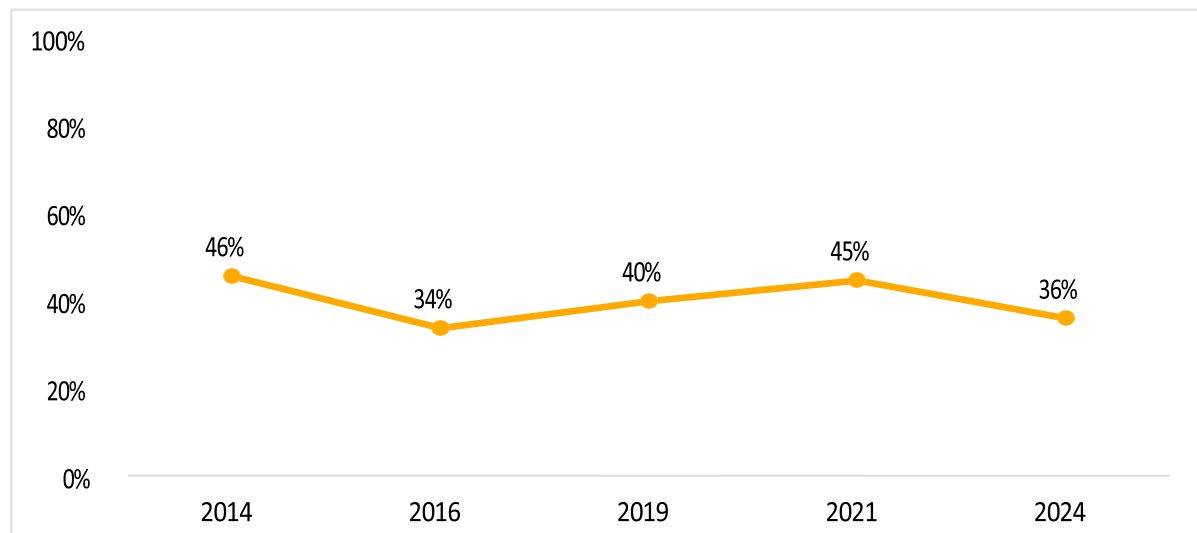


Figure 2.1: Trust in the Kenyan national Electoral Commission (2014–2024)

Source: Otele et al. (2025, p. 7)

Wolf et al. (2010, p. 6) indicate that only 15% of participants rated the 2022 elections as either “not free and fair” or “free and fair with major problems”. However, by 2008, this figure had surged to 78%, reflecting the widespread disillusionment that followed the disputed 2007 general elections, which starkly exposed systemic weaknesses in electoral administration, transparency, and governance. Between 2011 and 2014, public trust in Kenya's Electoral Commission declined by approximately seven percentage points, suggesting that even reform efforts introduced after the 2007 crisis failed to restore public confidence. As Otele et al. (2025, p. 7) demonstrate, confidence in the IEBC has continued to fluctuate but has consistently remained below the majority threshold: 46% in 2014, 34% in 2016, 40% in 2019, 45% in 2021, and 36% in 2024.

This erosion of trust is corroborated by findings from the TIFA (2025) survey, which reveals that 69% of Kenyans lack confidence in the integrity of Kenya's last three presidential elections held between 2013 and 2022. Regional variations in trust were also evident, with scepticism most pronounced in opposition strongholds such as Nyanza (48%), compared to the Central Rift (38%) and Mount Kenya (39%) regions.

Looking ahead to the 2027 elections, half of Kenyans (50%) report having no confidence in the IEBC's ability to manage credible elections. The primary reasons cited for this distrust are political interference (30%), corruption (29%), and institutional incompetence (23%). These findings underscore a sustained crisis of electoral legitimacy, in which persistent institutional

weaknesses, perceived bias, and unaddressed governance failures continue to erode citizens' trust in the integrity of Kenya's democratic processes.

6.2 *The Judiciary and Judicialisation of Politics*

The Judiciary has also experienced its fair share of fluctuations in public trust. Prior to the 2010 Constitution, the president wielded considerable influence over the Judiciary, which functioned largely as a department within the executive structure. The president was solely responsible for appointing judges, a practice that undermined judicial independence. Consequently, opposition petitions challenging the presidential election results were widely regarded as futile, as all rulings consistently favoured President Moi and the ruling KANU party.

The 2007 elections marked a critical turning point in this context and in Kenya's broader democratic trajectory. The opposition chose not to seek legal redress, citing pervasive judicial bias and executive interference. This decision coincided with the eruption of widespread electoral violence, underscoring the perils of a judiciary perceived as lacking legitimacy. According to the Kriegler Commission, one of the principal drivers of the ensuing unrest was the absence of an effective electoral dispute resolution mechanism capable of addressing challenges to the integrity of the presidential election results. The catalysed far-reaching reforms include measures aimed at strengthening the independence, credibility, and integrity of the Judiciary.

A notable shift occurred in 2013 when opposition leader Raila Odinga contested the presidential results before the newly established Supreme Court. Although the court ultimately upheld Uhuru Kenyatta's victory, Odinga's decision to accept the verdict signalled a reliance on legal mechanisms to resolve electoral disputes. The peaceful aftermath of the 2013 elections was widely interpreted as evidence of the Judiciary's evolving role in strengthening Kenya's democratic processes.

In 2017, Kenya's Judiciary reached a historic milestone when the Supreme Court annulled the presidential election, citing procedural irregularities and violations of constitutional and electoral laws. This unprecedented decision underscored the Judiciary's institutional independence and its critical role in upholding the rule of law. However, the aftermath exposed enduring political polarisation and public scepticism. The opposition boycotted the repeat election while a civil society petition challenging the outcome was subsequently dismissed.

The 2022 presidential election followed a trajectory similar to that of previous contests. Once again, Raila Odinga petitioned the Supreme Court to challenge the results, but the court dismissed the petition, citing insufficient evidence to warrant nullification. Although the Judiciary has operated within the legal framework for dispute resolution, the recurring pattern of contested outcomes and perceived institutional bias continues to strain public confidence in its impartiality.

Nonetheless, the very act of seeking judicial recourse demonstrates that, despite scepticism, citizens still recognise and engage with the Judiciary as a legitimate arbiter of electoral disputes. As one participant in the EISA FGDs reflected:

I think it depends on a number of factors. I think the issue my colleague mentioned earlier on that it's better. But I think learning from 2007 and in the previous electoral cycles, the fact that you can now go to court and a determination is made in a way that we accept the verdict, that is progress. I think to the extent that even though you call us a litigious community or country, it's a good thing to go to court and have disputes resolved there. And so, somehow it enhances trust ... somehow [FG1-KE-3:09:45].

The continued reliance on the courts to resolve electoral disputes is, in many ways, a positive development, as it reflects residual trust in the Judiciary's institutional role within Kenya's democratic framework. However, this judicial engagement has, at times, been strategically misused to subvert or delay electoral timelines, thereby complicating the work of the IEBC and other electoral stakeholders. As one participant observed, this dynamic presents both opportunities and challenges:

I think it's a double-edged sword. On the one hand, the negative side, you know, the judicial process can be used to frustrate timelines. You know, for election management, but also, on the other hand, I think we've seen the Judiciary provide clarity in processes, provide clarity in questions that have lingered in Kenyans minds and settled them, right? Big electoral issues or questions. And to some extent knowing that there's that clarity frees the country from the anxieties, questions, and so on, and so forth. So, I think it's YES and NO, right? Yes, there's progress in terms of providing clarity on a number of things. I think the challenge with that is that some of the decisions are implemented and others are ignored, so now that's beyond the Judiciary [FG1-KE-3:11:10].

As reported by Afrobarometer (Otele et al., 2025, p. 3), public trust in Kenya's Judiciary has fluctuated over the past decade, reflecting the cyclical political and institutional dynamics associated with each election period (Figure 2.2).

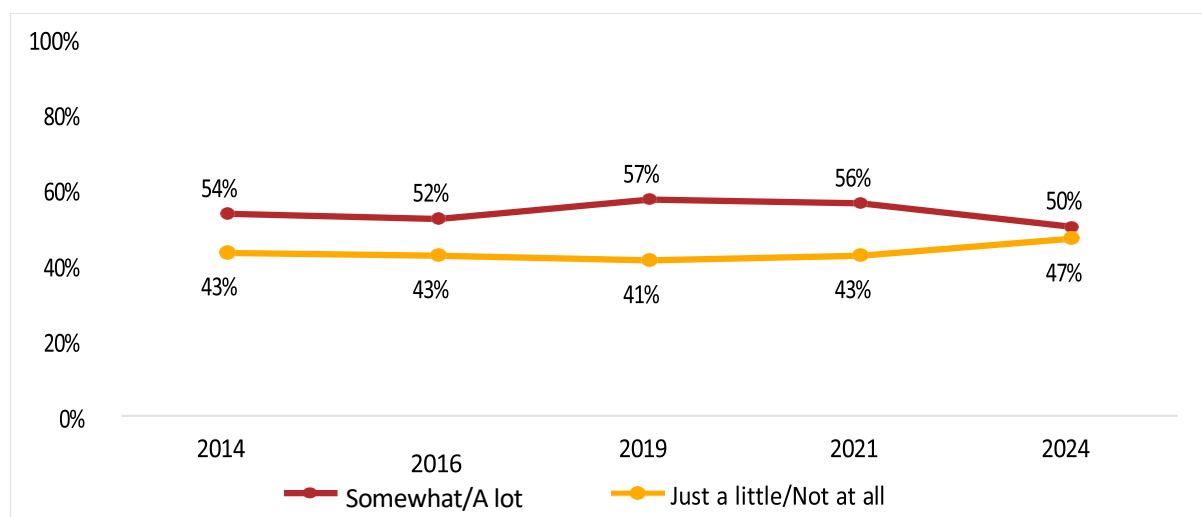


Figure 2.2: Trust in the Kenyan Judiciary (2014–2024)

Source: Otele et al. (2025, p. 3).

Trust levels were 54% in 2014, 52% in 2016, 57% in 2019, 56% in 2021, and 50% in 2024. Trust peaked in 2019, a trend likely attributed to the Supreme Court's historic nullification of the 2017 presidential election results. However, subsequent years witnessed a gradual erosion of confidence, with trust declining to 50% in 2024 amid renewed perceptions of political interference, contentious court rulings, and polarised public discourse surrounding electoral disputes.

The above developments and ratings underscore that the legitimacy of the Judiciary, anchored in its perceived independence, impartiality, and adherence to the rule of law, is fundamental to ensuring that electoral grievances are resolved through lawful rather than extrajudicial means. When citizens have confidence in judicial institutions, they are more inclined to pursue institutional remedies, thereby reducing the likelihood of post-election violence and reinforcing democratic stability. This was reiterated in the EISA FGDs, where participants cited the perceived lack of autonomy among constitutional commissions and branches of government as undermining confidence in peaceful dispute resolution. They emphasised that political interference in judicial institutions perpetuates instability. As one participant noted:

And then the other thing is a lack of trust in our public institutions ... Because if we don't even trust the Judiciary, one cannot even go there ... wacha basi tumalizie kwa street [let's settle our matters in the street]! [FG1-KE-2:44:28].

A judiciary perceived as compromised, opaque, or politically captured can exacerbate tensions and undermine the integrity of elections. The International Development Law Organization (IDLO, 2017), reflecting on Kenya's 2017 Supreme Court ruling, emphasised that Kenya's experience illustrates a broader global imperative: the need for governments to strengthen judicial autonomy, independence, accountability, and transparency. As IDLO (2017) noted, "The ruling by the Kenyan Supreme Court and the decision of the country's political leaders to abide by it is an encouraging sign of respect for the rule of law". This moment represented not only a vindication of judicial independence in Kenya but also a powerful example of how credible institutions can advance democratic politics and political stability.

However, judicial legitimacy ultimately depends not only on institutional performance but also on public perception, which is deeply intertwined with political identity. As Shah (2015) observes, partisanship acts as a perceptual filter through which individuals evaluate the quality and fairness of elections. Supporters of winning parties tend to perceive electoral and judicial processes as legitimate, whereas those aligned with losing parties are more likely to question their fairness and integrity. This dynamic is equally evident in how Kenyans assess the Judiciary's performance in resolving election disputes, as observed by a participant in the EISA FGD:

The aspect of trust is very subjective. It's about perceptions. It depends on which political side you stand. If you win, you trust. And if you don't win, you don't [FG1-KE-3:11:15].

The 2013 presidential election vividly illustrates this pattern. Public trust in the Judiciary was sharply divided along partisan lines. Supporters of Uhuru Kenyatta viewed the Supreme Court's ruling as a fair and impartial confirmation of the reforms introduced by the 2010 Constitution,

particularly the judicial vetting process, which was believed to have enhanced accountability and professionalism. In contrast, Raila Odinga's supporters perceived the court as politically influenced, questioning both the dismissal of what they regarded as substantial evidence of electoral malpractice and the overall efficacy of the judicial reforms. Subsequent elections have followed a similar trajectory, with perceptions of fairness and trust shaped by political partisanship.

6.3 Government, Political Parties, Patronage, and Elite Capture

Legitimacy in the outcome dimension of democratic governance depends not only on institutional integrity but also on the state's effectiveness in fulfilling its social contract through responsible political leadership, equitable service delivery, and responsiveness to citizens' needs. Kenya's electoral and governance trajectory between 2002 and 2022 demonstrates that political legitimacy is often derived not from performance or policy coherence but from ethnic constituencies and patronage networks. Politicians frequently leverage these affiliations to advance personal or factional interests, which are often misaligned with national development priorities and the broader public good.

Political parties exhibit a high degree of individualism and elite capture, with decision-making concentrated in the hands of a few dominant figures rather than shaped by internal democracy or grassroots participation. As one participant in the EISA FGDs explained:

Most of those political parties are individuals, so they are the ones who dictate what needs to be done. I'll take, for example, Raila, when he stands up to speak, he says ODM, but who does he mean by ODM behind him? When the president stands up and says he's the party leader of UDA, and he says, "As UDA, in the PG [Parliamentary Group], this is what we have said", what does he really mean? Does he speak for himself and his cronies, or has he gone and consulted the grassroots level where they say they have members? Many times, it's that individual who owns the political party who speaks on behalf of everyone else. Look at the Finance Bill, for example. Many of these parliamentarians don't consult their constituents, yet their constituents go on social media and say, "I instruct my MP to vote NO", but when it comes to the floor of the house, they don't [FG1-KE-3:03:10].

This concentration of authority around party leaders and the subsequent reliance on ethnic constituencies have entrenched a governance model that depends on extraconstitutional mechanisms, such as political handshakes, elite bargains, and informal coalitions, which function more as tools for elite accommodation and conflict management than as mechanisms of democratic accountability. As Kanyinga (2023) observes, Kenya's political elite, whether in power or in opposition, fundamentally view politics as a vehicle for advancing self-interest. Electoral victories are frequently followed by institutional reconfigurations aimed at consolidating power, often manifesting through political business cycles that shape policy decisions and public resource allocation in ways that reinforce exclusion and weaken institutional resilience. Several EISA FGD participants further noted that high campaign costs and the pressures of political financing perpetuate corruption and self-enrichment, as elected

leaders prioritise recouping campaign expenses over serving their constituents, thereby entrenching a cycle of clientelism and weakened accountability.

I feel like a majority of them don't! And the reason is the point about how costly elections are. So, when they get into office, the first thing they will do is try to [recoup] reimburse themselves the money they used during the campaign. So, their interest will be put first, and also, they are not so sure about second terms, so they try to amass as much as possible to be secure, in case you do not get a second term [FG2-KE-2:26:20].

Driven by these dynamics, successive ruling parties, and, to some extent, opposition actors through elite co-optation, have largely failed to uphold their social contract with the citizenry. Rather than advancing the collective public good, political elites have prioritised narrow self-serving agendas that have led to inequitable access to public resources and widened socio-economic disparities. The systematic co-optation of opposition leaders into the government has further undermined the opposition's ability to exercise effective oversight or present credible policy alternatives. As a result, citizens are often left without a viable political vehicle to advocate for their concerns, weakening checks and balances, diminishing democratic accountability, and eroding confidence in Kenya's political institutions.

In the early years of Kenya's democratic transition, public trust was markedly higher. Wolf et al. (2004, p. 39) observed that President Mwai Kibaki's approval rating was 92%, 65% of respondents approved of their members of Parliament, and 64% expressed satisfaction with their local government councillors. These figures reflected a period of optimism and renewed faith in democratic governance following the end of KANU's long rule and the electoral transition of 2002. Over time, however, this optimism has given way to disillusionment. The Edelman (2025) Trust Barometer reveals that trust in the government now stands at 38%, making it one of the least trusted institutions in the country. Moreover, 70% of Kenyans report moderate to high levels of grievance against businesses, the government, and the wealthy, citing perceptions that "the system favors the rich" and "serves only a select few". Among those who are highly aggrieved, only 30% express confidence that the government will "do what is right".

Alarmingly, this institutional disillusionment has manifested in the normalisation of hostile activism as a perceived pathway to change. Nearly half of Kenyans endorse aggressive forms of activism as legitimate means of demanding accountability, with 33% supporting online attacks, 24% endorsing disinformation, 21% approving violence, and 20% condoning property damage. These attitudes reflect widespread frustration with formal governance structures, which are viewed as unresponsive, unaccountable, and self-serving. Indeed, 69% of Kenyans believe that leaders earn legitimacy by "understanding and responding to citizens' needs", compared to only 55% who believe that legitimacy stems from holding formal positions of power.

This decline is further corroborated by Otele et al. (2025, p. 3) in Afrobarometer, which indicates that between 2014 and 2024, distrust in the presidency rose from 28% to 54%, while distrust in Parliament increased from 43% to 54%.

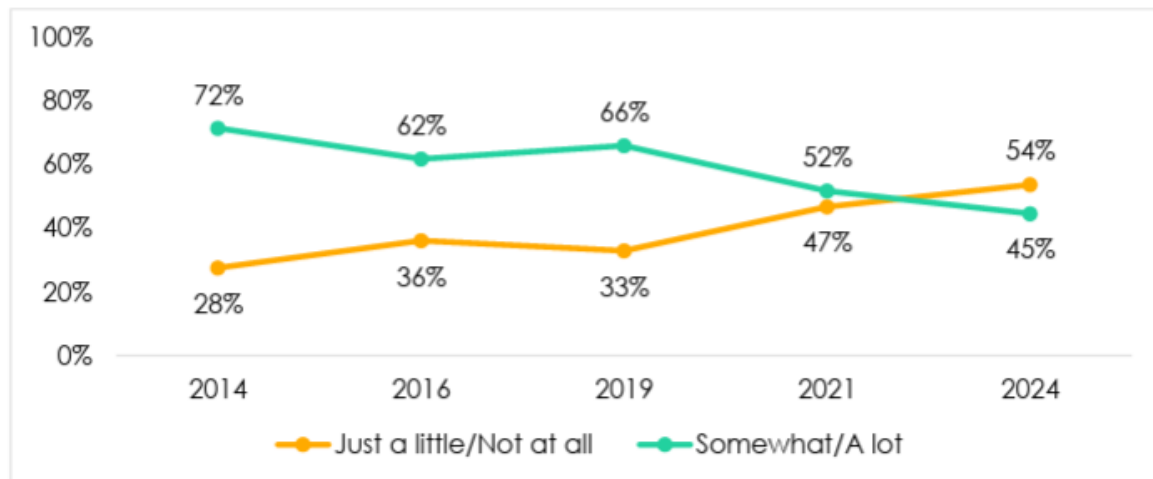


Figure 2.3: Trust in the Kenyan presidency (2014–2024)

Source: Otele et al. (2025).

Confidence in the ruling party has dropped sharply, from 61% to 38%, and is now lower than trust in the opposition parties, which stands at 43%. In contrast, religious leaders (70%) and traditional leaders (55%) continue to command comparatively higher levels of public confidence, reflecting the enduring moral and social authority of these institutions amid waning trust in political actors. As one participant in the EISA FGDs explained, their influence persists even when politicians fail to inspire confidence:

Most religious leaders, like in urban centres ... have the power to control the audience. So, the leaders can actually also choose, either to promote peace, or to destroy peace. So, the moment leader akisimama pale mbele akisema [stands in the front and says] let's pray for the country, inamaanisha [it means] the leader is thinking about peace in the country. But the moment the religious leader anaanza [starts to] ku-embrace the political leaders into the church na kuwapatia opportunity ya ku-campaign [gives them an opportunity to campaign], then that spiritual leader ... anapromote [promotes] something else ... So, hiyo ndio naonaga ni role yao [I see that as their role]. They should create platform ... streamlined, no politics in church, just peace. That's all [FG2-KE-3:03:09].

However, their alignment with specific political leaders may cause people to distrust the church and weaken its influence, as noted by a participant:

I think over the years, religious leaders have played a very critical role when it comes to elections. I think even when we were looking at 2007/8, the major advocates for 'cease-fire' were the religious leaders. But in 2022, most of these religious leaders, I'd say, were compromised, which then brought about that negative narrative of not looking at them as mediators or people who look at reconciliation when we are approaching elections, but they were looked at as having sidelined (or kuegemea upande mmoja), when it comes to the election cycle [FG2-KE-3:04:27].

Similarly, the enduring authority of traditional leaders represents both an opportunity and a risk in Kenya's governance landscape.

The traditional leaders also play a very critical role, especially in communities where they are sayers [have a say]. And this is in the case scenario of where they are able to address issues of early warning and early response, because these are issues that are identified

at the local level, the community level, and in some communities, they believe that when the traditional leader says something, that is what they take. But on the flipside, they may get that the traditional leader may also be a perpetrator ... based on how they make their judgement or ruling regarding the context So, it is both sides, they can be peace ambassadors, but they can also be influencers of conflict. It depends on how well they address the issue at hand [FG2-KE-3:04:27].

These perspectives highlight that, although formal political institutions have experienced a steady decline in legitimacy, other sources of social and moral authority in civil society, notably religious and traditional leaders, continue to play a pivotal role in mediating public trust and shaping local governance. However, this moral legitimacy remains fragile and risks erosion when such leaders are perceived as aligning with partisan interests or political elites, thereby associating themselves with the very institutions whose credibility among citizens is steadily declining.

6.4 Policing and Coercion

The legitimacy of law enforcement institutions is equally crucial to social order and democratic governance. In Kenya, the police have long struggled with a legacy of excessive force, political bias, and systemic corruption, which continue to undermine public trust and institutional credibility. Scholars trace these challenges back to colonial-era policing models that prioritised regime protection over public service (Kivoi, 2020). The colonial policing ethos has persisted into the postcolonial era, further exacerbated by poor recruitment practices, weak accountability mechanisms, and the entrenched politicisation of the police (Akech, 2005). The KHRC (2025) contends that this enduring model of ‘regime policing’ contradicts the democratic vision articulated in Article 238(2)(b) of the Constitution, which mandates the transformation of the police from a coercive force into a service-oriented institution committed to upholding human rights and protecting citizens.

Perceptions of corruption and impunity remain widespread. The Ethics and Anti-Corruption Commission (2022) has consistently ranked the police as one of the most corrupt public institutions in Kenya. In its 2021 national survey, 82.1% of respondents identified the Kenya Police as the government department where they were most likely to encounter corruption and unethical conduct. Low internal accountability has entrenched the image of a brutal and unaccountable service (Kivoi, 2020), a view echoed in the EISA FGDs:

Police are now a problem. Police is where there exists a big issue, in terms of who controls them. And in terms of do they really protect the law [FG1-KE-3:21:57].

These concerns become especially acute during periods of political contestation, when the police have been repeatedly implicated in human rights violations, particularly during the 2007 and 2017 elections, which involved excessive and unlawful use of force. Despite extensive documentation of these abuses, accountability remains largely absent (Human Rights Watch, 2022). Krönke et al. (2024) found that 57% of Kenyans view the police as excessively brutal in managing protests, further eroding confidence in the police’s impartiality and professionalism.

Concerns about the legal and institutional constraints on citizens' ability to protest were also raised during the discussions. As one participant noted:

What does the country's Public Order Act actually say, and how progressive is it with the current dispensation? Perhaps we are using an [outdated] Public Order Act of 1960! And that really limits the independence of the police to even give leeway for people to come out and protest something when they feel they are not really satisfied [FG1-KE-3:22:13].

Participants described selective enforcement and partisan alignment, both during campaigns and in the management of results:

I think we can't complete the story without talking about the disproportionate use of police by the incumbent to clamp down on the opposition ... So, both during the campaign period and management of the election results, we have seen the police aligning with the incumbent and efforts by the National Security Advisory Council to influence IEBC announcements ... Of course, we can't also ignore seeing IG Kanja the [Inspector General of the Police] speaking at a presidential rally raises questions, in what capacity? He can argue he is a local resident and that's why he was there, but when you wear a certain office's uniform, you always carry that rank with you wherever you go. And we saw this in 2017 and 2022 as well, chiefs being told in their areas we are giving you boda-bodas and make sure 'your people' turn out and vote for a particular party [FG1-KE-0:48:23].

But finally, also during COVID, and we've also seen it now, we saw that whenever there were rallies that were organised by the opposition, they were scuttled, for violating COVID restrictions. But we never saw the president's (and their side's) rallies being scuttled. And we are seeing it also now. Whenever DCP [The Democracy for Citizens Party] wants to have political rallies, or they want to go to a church, they are not allowed, but we don't see anyone else being stopped from having their political rallies ostensibly because they are campaigning outside of the election period. So, we must also think about how we use our security sector. And to whose advantage is it? And does that promote peaceful elections and the principle of non-intimidation during elections? [FG1-KE-0:48:23].

Participants also pointed out the partisan enforcement in the social media space:

... regarding the police. I would expand the conversation to NGAOs [national government administration officers] and all government operatives in the use of their power and their privileges during elections ... how police and government operatives use the law to their advantage. A very good example you have seen during the maandamano (protests) is the online laws on how to use social media, but they only apply when somebody is against the government. But if a blogger is pro-government, he has not contravened any law per se. And I think the use of law against or to suppress others. We have very good laws, but subjectively, we tend to apply or go silent on some laws [FG1-KE-0:50:32].

The 2024 Gen Z protests (June–November) demonstrated the ongoing persistence of brutality and impunity. The KNCHR (2024) reported that police operations between June and November 2024 resulted in 610 injuries, 1 376 arbitrary arrests, and 74 enforced disappearances. As of early 2025, 26 individuals were still missing, and no officers had been prosecuted. Subsequent reporting by the KHRC indicated that 63 people were killed during the protests and highlighted the continuing absence of accountability for those responsible (Civil Society Organisations, 2025). However, reports from Human Rights Watch (2024) and the Civic Freedoms Forum (2025,

p. 9) indicate that the actual number of people killed, disappeared, or arbitrarily arrested may be higher.

Unsurprisingly, public trust in the police remains chronically low. Kenyans' trust in the police between 2011 and 2022 revealed that more than 60% of the population reported little or no trust in the police (Mutahi et al., 2024, p. 305). Otele et al. (2025, p. 9) show that trust levels have remained stagnant and are well below trust in the military, as demonstrated in Figure 2.4. According to Kakumba and Krönke (2023), this lack of trust poses a serious challenge to effective policing, as research has demonstrated that distrust in law enforcement is correlated with lower compliance with the law, an increased likelihood of vigilante justice, and decreased cooperation with police investigations. In the context of elections, where the police play a pivotal role in securing polling stations and maintaining order, such legitimacy deficits increase the risk of electoral violence and retaliatory unrest.

Although the diagnosis is stark, participants in the EISA FGDs pointed to constructive pathways. Many have advocated for multisectoral approaches to policing that combine security agencies, administrative officers, religious leaders, and civil society to de-escalate tensions before they erupt. Police-community dialogues and grassroots social activities, such as local football matches, were identified as practical tools for improving relations and rebuilding trust. The core implication is that procedural fairness, impartial enforcement, and visible accountability, paired with community-centred engagement, are essential to shift policing from protecting the regime to serving the public and to restore the legitimacy of law enforcement on which Kenya's democratic stability depends.

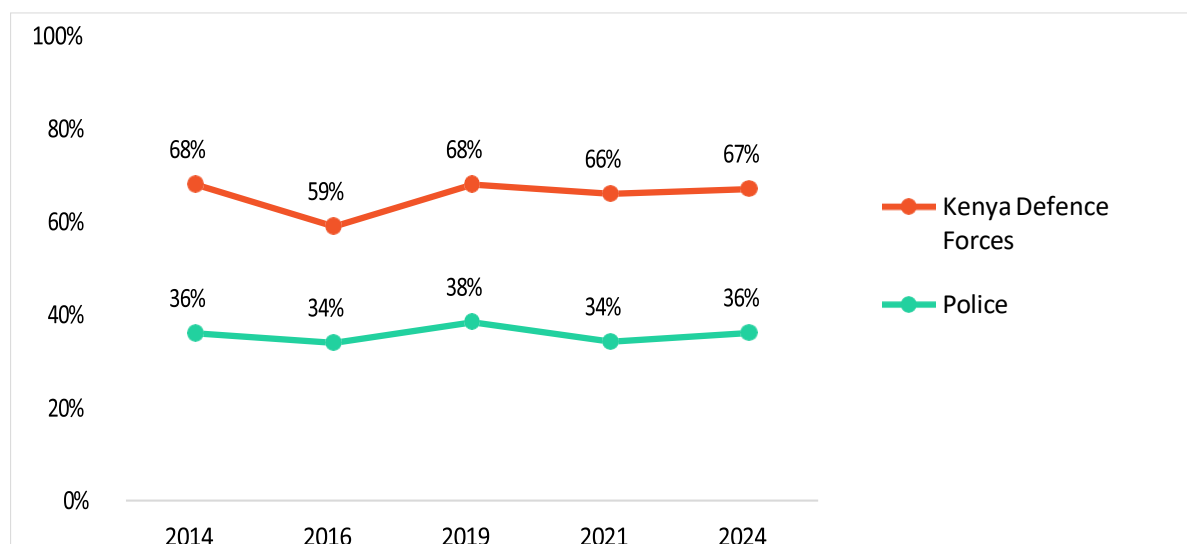


Figure 2.4: Trust in the Kenyan police and army (2014–2024)

Source: Otele et al. (2025, p. 9).

7 Discussion

While elections are essential to democratic politics and governance, their value fundamentally depends on integrity, inclusiveness, and the ability to reflect the genuine will of the people by forming a government through a free and fair process. Equally important are the performance of the government, the diffusion rather than the concentration of power and authority, and effective parliamentary scrutiny and oversight of the actions of the executive. In Kenya, elections have alternated between periods of democratic renewal, such as the peaceful transition in 2002, and episodes of instability and violence, most notably in 1992, 1997, and 2007. The country's electoral history thus encapsulates both progress and fragility in its pursuit of democratic legitimacy.

At independence, Kenya adopted the Westminster-derived first-past-the-post system, transplanting a foreign model with minimal adaptation to local social realities. The majoritarian design concentrated power in the presidency, marginalised smaller parties, and institutionalised a winner-takes-all, zero-sum political culture that linked state control to ethnic identity. This structure combined institutional centralisation with ethnic politicisation, transforming the presidency into the apex of patronage networks and shaping Kenya's enduring elite-dominated politics. Persistent contestation over representation and legitimacy eventually led to demands for reform, culminating in the 2010 Constitution. The new framework introduced devolution, judicial oversight, and proportional representation measures aimed at curbing exclusion and promoting equitable participation.

While these reforms strengthened institutional checks and broadened representation, they did not fully dismantle the entrenched dynamics of exclusion, gender disparities, and winner-takes-all presidentialism, which continue to concentrate political stakes on state capture rather than on governance performance.

Since the reintroduction of multiparty politics in 1992, Kenya's political trajectory has revolved around a recurring triangle of elite pacts, ethnic mobilisation, and institutional crises. Electoral cycles have alternated between periods of renewal (2002, 2013, and 2022) and rupture (2007 and 2017), with legitimacy often mediated not by ideology but by negotiated inclusion, judicial arbitration, and perceptions of administrative credibility. This pattern has yielded a system of managed legitimacy, characterised by elite accommodation that stabilises the polity without transforming its underlying power structures. Between 2002 and 2022, there was a gradual shift from violent, zero-sum alternation to more judicialised and procedural competition; however, Kenya's democracy remains anchored in elite bargains rather than citizen-driven legitimacy.

Despite these advances, periodic violence continues to disrupt social stability. Kenya retains its reputation for relative calm in a volatile region, but this stability is contingent and episodic. Internal inequalities, youth precarity, unresolved land disputes, and elite confrontations generate recurrent yet high-impact tensions around elections. Such violence is rarely spontaneous; it is often orchestrated through elite brokerage. Political leaders, segments of the

security apparatus, and criminal networks collude to mobilise or suppress turnout, police territories, and renegotiate access to rents. When institutions appear partial or fragile, coercive bargaining substitutes for rule-bound competition, perpetuating cycles of contention even in the presence of credible courts.

The 2010 Constitution, devolution, and stronger judicial mechanisms have reduced the lethality of electoral conflicts and institutionalised judicial petitions as a form of contestation. However, administrative breakdowns, ranging from technological failures and tallying disputes to internal divisions within the IEBC, alongside extraconstitutional elite settlements such as handshakes and power-sharing deals, demonstrate that informal negotiation still substitutes for consistent institutional performance. While reforms have improved electoral management, they have not produced citizen-centred legitimacy. The resulting equilibrium has procedural order but lacks substantive fragility.

Recent political developments suggest a gradual shift from ethnic arithmetic to issue-based mobilisation. The 2024 Gen Z protests recast the national discourse around economic justice, corruption, and accountability, weakening the dominance of ethnic identities in political contestation. Yet, without tangible improvements in outcome legitimacy (measured by employment, service delivery, and fair policing), Kenya risks reverting to elite bargains and coercive governance to restore order. The peace that Kenya enjoys is, therefore, managed rather than guaranteed; stability endures only when procedural credibility and distributive justice reinforce each other. Where either dimension falters, elections revert to moments of crisis.

Across successive regimes, socio-economic performance and electoral stability have evolved in tandem with changes in governance orientation and the credibility of distribution. Inclusion functions both as a democratic ideal and as a stability variable: when citizens experience equitable access to opportunities and public services, contestation remains institutional; when exclusion prevails, elections become high-stakes struggles over scarce resources.

Kenya's socio-economic evolution since 1992 reveals a persistent tension between growth and equity. From Moi's authoritarian clientelism to Kibaki's technocratic recovery, Uhuru Kenyatta's infrastructure-led expansion, and Ruto's bottom-up populism, successive governments have achieved growth without commensurate inclusion. Gains in literacy, electrification, and health outcomes remain unevenly distributed, reflecting deep historical inequalities and spatial disparities. The wealthiest quintile controls over 60% of the national income, while youth unemployment and rural deprivation persist, reinforcing perceptions of exclusion and intensifying electoral competition as a proxy for redistribution.

Periods of instability in 1992, 1997, 2007, and 2017 correlate closely with economic contraction, while inclusive coalition-building in 2002 and 2013 corresponded with relative peace and recovery. These patterns underscore a central insight: credible institutions, equitable resource allocation, and social inclusion enhance legitimacy and stability, while exclusion, patronage, and inequality erode them. Growth without inclusion breeds fragility, and reform without

administrative integrity yields only temporary peace. Durable electoral stability thus depends on the convergence of procedural legitimacy, clean elections, impartial courts, credible policing, outcome legitimacy, fair opportunities, social services, and spatial justice.

The trajectory of belonging in Kenya reflects a tension between continuity and change. Ethnicity remains the principal axis of political organisation, but new identity categories, youth, gender, and class, are gradually reshaping participation and representation. The challenge for democratic advancement lies in transforming these identities from instruments of exclusion into foundations of inclusive citizenship. This requires strengthening institutions that mediate representation equitably, enforcing constitutional provisions on inclusion, and fostering civic identities that transcend inherited divisions. Only through such a transformation can Kenya evolve into a political community defined by shared citizenship rather than ethnic affiliation.

Over more than three decades of multiparty democracy, political participation has fluctuated with levels of institutional credibility and socio-economic inclusion. High voter turnout during moments of reform and optimism, such as in 2002, 2010, and 2013, contrasts with declining participation in recent years, driven by structural barriers and disillusionment. Many citizens, particularly young people, view elections as ritualised exercises that reproduce elite dominance rather than as instruments of transformation. This disaffection has generated new civic expressions, digital activism, protests, and issue-based movements that challenge elite monopolies on representation. Yet institutional manipulation, inequality, and corruption continue to stratify participation along class, gender, and regional lines, undermining the universalism envisioned in the Constitution.

Participation and legitimacy are mutually reinforcing. High participation correlates with perceptions of fairness and inclusion, while declining turnout reflects disillusionment and eroded trust. The determinants of participation are structural, rooted in inequality and the quality of governance. Transforming participation from episodic voting into sustained civic engagement requires renewed investment in civic education, the depoliticisation of identification and registration processes, and the institutionalisation of equitable representation.

Kenya's broader democratic trajectory reveals a recurrent crisis of legitimacy rooted in the state's inability to sustain both procedural and outcome legitimacy simultaneously. The IEBC epitomises this paradox. Despite successive reforms, every electoral cycle has ended in controversy and institutional reconstitution, eroding public confidence. Political interference, technological lapses, and administrative opacity have institutionalised distrust, decoupling participation from belief. Similarly, while judicial independence has deepened since 2010, legitimacy remains filtered through partisan perceptions, trusted by victors and questioned by the defeated. Political parties, dominated by personality cults and patronage, lack ideological coherence and internal democracy, perpetuating a governance model defined by transactional alliances and elite bargains rather than by accountability and substantive policy.

These structural weaknesses are compounded by a policing culture rooted in coercion and impunity. The continued militarisation of law enforcement, selective deployment during elections, and lack of accountability deepen perceptions of state bias and repression. The recurrence of state violence during civic protests, including the 2024 demonstrations, underscores the persistence of colonial-era logics of control rather than of service.

Kenya's experience underscores that legitimacy cannot be restored through institutional redesign alone. Electoral credibility must be matched by socio-economic responsiveness; judicial independence must be reinforced by equitable enforcement; political competition must transcend ethnicity and clientelism; and policing must evolve from coercion to partnership. Unless procedural integrity and distributive justice converge, elections will continue to oscillate between peaceful competition and coercive renegotiations of power.

In summary, Kenya's democracy is procedurally mature but substantively incomplete. Its elections are regular but not consistently trusted; its peace is maintained but precarious; and its inclusion remains constitutional rather than fully realised. Lasting stability will emerge only when democracy delivers both fairness and opportunity, and when citizens experience justice and participation not as promises but as tangible realities. Until then, Kenya's electoral stability will remain periodic rather than permanent.

References

- African Union. (2009). *Report of the Panel of the Wise on strengthening the role of the African Union in the prevention, management and resolution of election-related disputes and violent conflicts in Africa*. Assembly/AU/6(XIII), Annex II.
<https://www.peaceau.org/en/article/report-of-the-panel-of-the-wise-on-strengthening-the-role-of-the-african-union-in-the-prevention-management-and-resolution-of-election-related-disputes-and-violent-conflicts-in-africa>
- AfriCOG & Infotrak Research. (2016). *Citizen perception survey on elections: Part 2 on the Constitution* [Survey report].
[https://www.infotrakresearch.com/downloads/AFRICOG%20CITIZENS%20SURVEY_PART%202%20ON%20CONSTITUTION\(1\).pdf](https://www.infotrakresearch.com/downloads/AFRICOG%20CITIZENS%20SURVEY_PART%202%20ON%20CONSTITUTION(1).pdf)
- African Development Bank. (2024). *Kenya economic outlook*. African Development Bank Group.
<https://www.afdb.org/en/countries-east-africa-kenya/kenya-economic-outlook>
- Ajulu, R. (1993). The 1992 Kenya general elections: A preliminary assessment. *Review of African Political Economy*, 56, 98–102. <http://www.jstor.org/stable/4006129>
- Akech, J. M. (2005). Public law values and the politics of criminal (in)justice: Creating a democratic framework for policing in Kenya. *Oxford University Commonwealth Law Journal*, 5(2), 225–256. <https://doi.org/10.1080/14729342.2005.11421458>
- Akoth, S. O. (2011). *Challenges of nationhood: Identities, citizenship and belonging under Kenya's new Constitution*. Constitution Working Paper No. 10. Society for International Development.
- Alemika, E. E. (2007). *Quality of elections, satisfaction with democracy and political trust in Africa*. Afrobarometer Working Paper No. 84. <https://www.afrobarometer.org/wp-content/uploads/2022/02/AfropaperNo84.pdf>
- Alushula, P., & Odhiambo, A. (2020, February 5). Daniel arap Moi had mixed economic legacy. *Business Daily*. <https://www.businessdailyafrica.com/bd/news/daniel-arap-moi-had-mixed-economic-legacy-2279190>
- Amnesty International & Human Rights Watch. (2017). “Kill those criminals”: Security forces’ violations in Kenya’s august 2017 elections. <https://www.amnesty.org/en/wp-content/uploads/2021/05/AFR3272492017ENGLISH.pdf>
- Barasa, L., & Kamau, P. (2025). *Majority of Kenyans believe country is headed in the wrong direction, cite government’s poor handling of the economy*. Afrobarometer Dispatch No. 935. <https://www.afrobarometer.org/wp-content/uploads/2025/01/AD935-Kenyans-blame-govt-economic-management-for-increasing-cost-of-living-Afrobarometer-9jan25.pdf>
- Bernstein, T. P., & Lü, X. (2003). *Taxation without representation in rural China*. Cambridge University Press. <https://www.jstor.org/stable/27644450>

- Biegon, J. (2018). Politicization of ethnic identity in Kenya: Historical evolution, major manifestations and the enduring implications. In *Ethnicity and politicization in Kenya: The national study*. Kenya Human Rights Commission. <https://khrc.or.ke/wp-content/uploads/2024/02/Ethnicity-and-Politicization-in-Kenya.pdf>
- Bigsten, A., & Wambugu, A. (2010). Kenyan labour market challenges. In C. S. Adam, P. Collier, & N. S. Ndung'u (Eds.), *Kenya: Policies for prosperity* (pp. 267–292). Oxford University Press.
- Birch. (2010). Perceptions of electoral fairness and voter turnout. *Comparative Political Studies*, 43(12), 1601–1622. <https://doi.org/10.1177/0010414010374021>
- Blais, A. (1991). The debate over electoral systems. *International Political Science Review/Revue Internationale de Science Politique*, 12(3), 239–260. <http://www.jstor.org/stable/1601505>
- Blais, A., & Carty, R. K. (1990). Does proportional representation foster voter turnout? *European Journal of Political Research*, 18(2), 167–181. <https://doi.org/10.1111/j.1475-6765.1990.tb00227.x>
- Bogaards, M. (2014). Multiparty elections in Africa: For better or worse. In R. Doorenspleet & L. Nijzink (Eds.), *Party systems and democracy in Africa* (pp. 22–44). Palgrave Macmillan.
- Branch, D. (2011). *Kenya: Between hope and despair, 1963–2011*. Yale University Press.
- Bratton, M., & Van de Walle, N. (1997). *Democratic experiments in Africa: Regime transitions in comparative perspective*. Cambridge University Press.
- Brown, S. (2004). Theorising Kenya's protracted transition to democracy. *Journal of Contemporary African Studies*, 22(3), 325–342. <https://doi.org/10.1080/0258900042000283494>
- Business Daily. (2023, January 24). Channel debt funds to high-return projects. *Business Daily Africa*. <https://www.businessdailyafrica.com/bd/opinion-analysis/editorials/channel-debt-funds-to-high-return-projects--4098086>
- Cheeseman, N., Lynch, G., & Kanyinga, K. (Eds.) (2020). *The Oxford handbook of Kenyan politics*. Oxford University Press.
- Cheeseman, N., Lynch, G., & Willis, J. (2017, October 25). Kenya's electoral impasse. *Foreign Affairs*. <https://www.foreignaffairs.com/articles/africa/2017-10-25/kenyas-electoral-impasse>
- Civic Freedoms Forum. (2025, July). Silenced but not forgotten. *Freedom Anchor Newsletter*. <https://heyzine.com/flip-book/6508359d1f.html>
- Civil Society Organisations. (2025, April 14). *State of the nation: Kenya's slide into repression deepens amid mounting crises* [Press release]. Kenya Human Rights Commission. <https://khrc.or.ke/press-release/kenyas-slide-into-repression-deepens-amid-mounting-crises/page/3/>

- Danish Trade Union Development Agency. (2024). *Labour market profile: Kenya 2024*. <https://dtda.dk/wp-content/uploads/2026/04/Kenya-LMP-2024-final-new.pdf>
- Dietz, D. (2000). Of ethnicity, manipulation and observation: The 1992 and 1997 elections in Kenya. In G. J. Abbink & G. S. C. M. Hesseling (Eds.), *Election observation and democratization in Africa* (pp. 122–149). Macmillan Press.
- Edelman. (2025). *2025 Edelman Trust Barometer: Kenya report*. https://www.africa.edelman.com/sites/g/files/aatuss536/files/2025-02/2025%20Edelman%20Trust%20Barometer_Kenya%20Report_0.pdf
- Electoral Institute for Sustainable Democracy in Africa. (2022). *Kenya: 2022 general elections*. <https://www.eisa.org/kenya-2022-general-elections/>
- Ethics and Anti-Corruption Commission. (2022). *National Ethics and Corruption Survey (NECS) 2021*. <https://eacc.go.ke/default/wp-content/uploads/2022/12/National-Ethics-and-Corruption-Survey-2021-EACC-30-Dec-2022.pdf>
- European Union Election Observation Mission. (2018). Final report: General elections 2017, Kenya. European Union. https://www.eods.eu/library/eu_eom_kenya_2017_final_report.pdf
- FHI360. (2019). *Views of Kenyans on sociopolitical and economic developments in the country*. https://ids.uonbi.ac.ke/sites/ids.uonbi.ac.ke/files/2023-05/FHI360%20-%20IDS%20Survey%20-%20Views%20of%20KENYANS%20ON%20socio-political%20and%20economic%20developments_GM_0.pdf
- Fjeldstad, O.-H., & Semboja, J. (2000). Dilemmas of fiscal decentralisation: A study of local government taxation in Tanzania. *Forum for Development Studies*, 27(1), 7–41. <https://doi.org/10.1080/08039410.2000.9666122>
- Franck, R., & Rainer, I. (2012). Does the leader's ethnicity matter? Ethnic favoritism, education, and health in Sub-Saharan Africa. *American Political Science Review*, 106(2), 294–325. <https://doi.org/10.1017/S0003055412000172>
- Gakuru, R. W., & Mathenge, N. M. (2011). Poverty, growth and income inequality in Kenya: A SAM perspective. KIPPRA Discussion Paper No. 124. <https://kippra.or.ke/wp-content/uploads/2021/02/poverty-growth-and-income-inequality-in-kenya-a-sam-perspective-dp-124.pdf>
- Galava, D. (2023, June 1). Corruption: Time to break the jinx of Kenya's past regimes 60 years on. *Daily Nation*. <https://nation.africa/kenya/kenya-60/corruption-time-to-break-the-jinx-of-kenya-s-past-regimes-60-years-on-4253534>
- Gathara, P. (2022, July 14). In Kenya, elections have lost their shine. *Al Jazeera*. <https://www.aljazeera.com/opinions/2022/7/14/in-kenya-elections-have-lost-their-shine>

- Gathii, J. T., & Otieno, H. M. (2018). Assessing Kenya's cooperative model of devolution: A situation-specific analysis. *Federal Law Review*, 46(4), pp. 595–613.
<https://doi.org/10.1177/0067205X1804600407>
- Government of Kenya. (2019). *National policy on gender and development: Towards creating a just, fair and transformed society free from gender-based discrimination in all spheres of life practices*. Sessional Paper No. 02 of 2019. Ministry of Public Service, Youth and Gender. <https://faolex.fao.org/docs/pdf/ken223273.pdf>
- Harneit-Sievers, A., & Peters, R.-M. (2008). Kenya's 2007 general election and its aftershocks. *Afrika Spectrum*, 43(1), 133–144.
- Hassan, A. I. (2010, May 29). *Electoral reforms: Kenya's recent experiences – Kenya's electoral system and process in context* [Conference paper]. Regional Seminar on Elections Management, ARRF, Dar es Salaam, Tanzania. [https://ahmedissackhassan.com/documents/electionadministrationmanagementinkenya/Paper%20Presented%20to%20African%20Research%20and%20Resource%20Forum%20\(ARRF\)%20-%2029th%20May%202010.pdf](https://ahmedissackhassan.com/documents/electionadministrationmanagementinkenya/Paper%20Presented%20to%20African%20Research%20and%20Resource%20Forum%20(ARRF)%20-%2029th%20May%202010.pdf)
- Human Rights Watch. (2022, August 1). *Kenya: Police impunity raises election risk*.
<https://www.hrw.org/news/2022/08/02/kenya-police-impunity-raises-election-risk>
- Human Rights Watch. (2024, November 5). *Kenya: Security forces abducted, killed protesters*.
<https://www.hrw.org/news/2024/11/06/kenya-security-forces-abducted-killed-protesters>
- Ikiara, G. K. (1998). Economic restructuring and poverty in Kenya. In W. Owino, & N. Ngethe (Eds.), *From Sessional Paper No. 10 to structural adjustment: Towards indigenising the policy debate* (pp. 301–326). Institute of Policy Analysis and Research.
<https://erepository.uonbi.ac.ke/items/e155dbda-81f5-4760-ad9b-63ddd50398d6>
- Ikiara, G. K., & Tostensen, A. (1995). Political economy of poverty reduction in Kenya: A survey of issues. Swedish International Development Authority (SIDA).
<https://erepository.uonbi.ac.ke/items/21668121-f084-4915-afbe-ac7384b89436>
- Independent Electoral and Boundaries Commission. (2013). *4th March 2013 general election data*.
<https://www.iebc.or.ke/docs/4TH%20MARCH%202013%20GENERAL%20ELECTION%20DATA.pdf>
- Independent Electoral and Boundaries Commission. (2017). *Post election evaluation report for the 9 August 2017 Kenya general election*.
<https://www.iebc.or.ke/uploads/resources/V9UUoGqVBK.pdf>
- Independent Electoral and Boundaries Commission. (2023). *Post-election evaluation report: 9 August 2022 general election*. <https://www.iebc.or.ke/uploads/resources/pabjkTV6Xa.pdf>
- Independent Review Commission. (2008). *Report of the Independent Review Commission on the general elections held in Kenya on 27th December 2007 (Kriegler Report)*. Government Printer. https://www.knchr.org/Portals/0/Reports/Kriegler_Report.pdf

- Infotrak Research and Consulting. (2024). *Nationwide perception study: Public trust in institutions and democratic processes in Kenya*. Infotrak & Electoral and Governance Institute for Africa. https://www.infotrakresearch.com/wp-content/uploads/2024/12/NATIONWIDE-PERCEPTION-STUDY_16thDec.pdf
- International Development Law Organization. (2017). *Kenya court decision demonstrates respect for rule of law* [Press Release, 1 September]. https://www.idlo.int/sites/default/files/pdfs/IDLO%20-%20Press%20Release%20Kenya%20-%20September%202017_0.pdf
- International IDEA. (2002). *International electoral standards: Guidelines for reviewing the legal framework of elections*. <https://aceproject.org/ero-en/topics/election-integrity/UNPAN016077.pdf>
- International IDEA. (2005). *Electoral system design: The new international IDEA handbook (summary)*. <https://www.idea.int/sites/default/files/publications/chapters/electoral-system-design/electoral-system-design-the-new-international-idea-handbook-summary.pdf>
- International Labour Organization. (2010). *Micro factors inhibiting education access, retention and completion by children from vulnerable communities in Kenya: Final report*. https://www.ilo.org/sites/default/files/2025-05/Kenya_Out_of_School_Children_Report.pdf
- International Labour Organization. (2023). *ILOSTAT country profiles: Kenya*. <https://ilostat.ilo.org/data/country-profiles>
- Iraki, X. N. (2022, August 13). *Why youth apathy in elections bodes ill for Kenya*. *The Conversation*. <https://theconversation.com/why-youth-apaty-in-elections-bodes-ill-for-kenya-188662>
- Japan International Cooperation Agency, & International Development Center of Japan. (2012). *Basic education sector analysis report: Kenya*. <https://openjicareport.jica.go.jp/pdf/12083176.pdf>
- Kagwanja, M. (1998). *Killing the vote: State-sponsored violence and flawed elections in Kenya*. Kenya Human Rights Commission. <https://khrc.or.ke/publication/killing-the-vote/>
- Kagwanja, P., & Southall, R. (2009). Introduction: Kenya – A democracy in retreat? *Journal of Contemporary African Studies*, 27(3), 259–277. <https://doi.org/10.1080/02589000903216930>
- Kakumba, M. R., & Krönke, M. (2023). *Brutality and corruption undermine trust in Uganda's police: Can damage be undone?* Afrobarometer Policy Paper No. 88. <https://www.afrobarometer.org/wp-content/uploads/2023/08/PP88-Brutality-and-corruption-undermine-trust-in-Ugandan-police-Afrobarometer-policy-paper-10aug23-1.pdf>

- Kalimi, N. B., Wekesa, P. W., & Mwangi, S. O. (2024). Mergers and disintegrations: Political party alliance building in Kenya between 2002 and 2022. *International Journal of Geopolitics and Governance*, 3(1), 70–82. <https://doi.org/10.37284/ijgg.3.1.2203>
- Kanyinga, K. (2023, October 14). The inner workings of politics and power in Kenya. *Daily Nation* (Opinion). <https://www.nation.africa/kenya/blogs-opinion/opinion/the-inner-workings-of-politics-and-power-in-kenya-4401228>
- Kenya Human Rights Commission. (2018). *Ethnicity and politicization in Kenya: The national study*. <https://khrc.or.ke/storage/2024/02/Ethnicity-and-Politicization-in-Kenya.pdf>
- Kenya Human Rights Commission. (2025). *Kenya's slide into repression deepens amid mounting crises* [Press release, 14 April]. <https://khrc.or.ke/press-release/kenyas-slide-into-repression-deepens-amid-mounting-crises/>
- Kenya National Bureau of Statistics. (2024). *Economic Survey 2024*. <https://repository.knbs.or.ke/entities/economicsurvey/1f24f614-8f1e-41c8-a42f-eb2710b616ab/full>
- Kenya National Bureau of Statistics. (2025). *2023/24 Kenya Housing Survey: Basic report*. <https://www.knbs.or.ke/reports/2023-24-kenya-housing-survey-basic-report/>
- Kenya National Bureau of Statistics, & ICF. (2023). *Kenya Demographic and Health Survey 2022: Volume 1*. <https://dhsprogram.com/pubs/pdf/FR380/FR380.pdf>
- Kenya National Bureau of Statistics, Ministry of Health, & The DHS Program ICF. (2023). *Kenya Demographic and Health Survey 2022: Main report*. KNBS. <https://www.knbs.or.ke/wp-content/uploads/2023/08/Kenya-Demographic-and-Health-Survey-2022-Main-Report-Volume-1.pdf>
- Kenya National Commission on Human Rights. (2008). *On the brink of the precipice: A human rights account of Kenya's post-2007 election violence*. https://www.knchr.org/Portals/0/Reports/KNCHR_REPORT_ON_THE_BRINK_OF_THE_PRECIPE.pdf
- Kenya National Commission on Human Rights. (2024, November 20). *State of human rights in Kenya: July 2023–November 2024*. <https://www.knchr.org/Articles/ArtMID/2432/ArticleID/1207/STATE-OF-HUMAN-RIGHTS-IN-KENYA-JULY-2023-NOVEMBER-2024>
- Kenya National Crime Research Centre. (2012). *A study of organized criminal gangs in Kenya*. NCRC Research Report No. 1. <https://www.crimeresearch.go.ke/wp-content/uploads/2022/04/Organized-Criminal-Gangs-in-Kenya-Report.pdf>
- Kiilu, D. (2024, October 18). Five grounds senators upheld to impeach Rigathi Gachagua. *The Star*. <https://www.the-star.co.ke/news/infographics/2024-10-18-five-grounds-senators-upheld-to-impeach-rigathi-gachagua>

- Kivoi, D. L. (2010). Ethnicity and democracy: A case of Kenya. *OIDA International Journal of Sustainable Development*, 2(2), 43–46. <https://oidaijsd.com/wp-content/uploads/2019/03/02-02-04.pdf>
- Kivoi, D. L. (2020). *Policing reforms to enhance security in Kenya*. Discussion Paper No. 237. Kenya Institute for Public Policy Research and Analysis. <https://repository.kippira.or.ke/handle/123456789/2745>
- Klopp, J. M. (2001). “Ethnic clashes” and winning elections: The case of Kenya’s electoral despotism. *Canadian Journal of African Studies*, 35(3), 473–517. <https://doi.org/10.2307/486297>
- Kodiaga, S., & Kamau, P. (2021). *Most Kenyans seek – and find – justice outside formal court system*. Afrobarometer Dispatch, No. 442. Afrobarometer. <https://www.afrobarometer.org/publication/ad442-most-kenyans-seek-and-find-justice-outside-formal-court-system/>
- Kostelka, A., & Blais, A. (2021, September 22). Global voter turnout has been in decline since the 1960s: We wanted to find out why. *The Conversation*. <https://theconversation.com/global-voter-turnout-has-been-in-decline-since-the-1960s-we-wanted-to-find-out-why-167775>
- Kramon, E., Hamory, J., Baird, S., & Miguel, E. (2021). Deepening or diminishing ethnic divides? The impact of urban migration in Kenya. *American Journal of Political Science*, 66(2), 365–384. <https://doi.org/10.1111/ajps.12590>
- Krönke, M., Isbell, T., & Kakumba, M. R. (2024). *Law enforcers or law breakers? Beyond corruption, Africans cite corruption and lack of professionalism among police failings*. Afrobarometer Policy Paper 6. <https://www.afrobarometer.org/wp-content/uploads/2024/01/PP90-PAP6-Africans-cite-corruption-and-lack-of-professionalism-among-police-failings-Afrobarometer-24jan24.pdf>
- Levi, M., Sacks, A., & Tyler, T. (2009). Conceptualizing legitimacy, measuring legitimating beliefs. *American Behavioral Scientist*, 53(3), 354–375. <https://doi.org/10.1177/0002764209338797>
- Lind, J. (2017). Devolution, shifting centre-periphery relationships and conflict in northern Kenya. *Political Geography*, 63, 135–147. <https://doi.org/10.1016/j.polgeo.2017.06.004>
- Macrotrends. (n.d.). *Kenya unemployment rate (1991–2025)*. <https://www.macrotrends.net/global-metrics/countries/ken/kenya/unemployment-rate>
- Matlosa, K. (2007). *Challenges of conflict, democracy and development in Africa*. Electoral Institute for Sustainable Democracy in Africa.
- Mpako, A. (2025, September 18). Young Africans are speaking. Are African policy makers listening? *The IJR Lens on Africa*. https://www.ijr.org.za/home/wp-content/uploads/2025/03/The-IJR-Lens-on-Africa_18-September-2025.pdf

- Mueller, S. D. (2008). The political economy of Kenya's crisis. *Journal of Eastern African Studies*, 2(2), 185–210. <https://doi.org/10.1080/17531050802058302>
- Mugo, J. (2025, June 3). Kenya's employment growth masks deeper crisis of informality. *The Star*. <https://staging.the-star.co.ke/opinion/2025-06-03-mugo-kenyas-employment-growth-masks-deeper-crisis-of-informality>
- Mugo, W. (2014, January 15). Celebrating four decades of free primary education policy. *The Standard*. <https://www.standardmedia.co.ke/business/amp/kenya-at-50/article/2000102381/celebrating-four-decades-of-free-primary-education-policy>
- Munene, I. (2022, June 20). Kibaki's education legacy: Well-meaning with adverse results. *The Star*. <https://www.the-star.co.ke/counties/nyanza/2022-06-20-kibakis-education-legacy-well-meaning-with-adverse-results>
- Murunga, P., & Machio, P. (2024, January 8). Towards attainment of gender equality in Kenya's education sector. *KIPPRA Blog*. <https://kippra.or.ke/towards-attainment-of-gender-equality-in-kenyas-education-sector/>
- Mutahi, P., Höglund, K., & Elfversson, E. (2024). Policing and citizen trust in Kenya. *African Affairs*, 123(492), 303–328. <https://doi.org/10.1093/afraf/adae018>
- Mutahi, P., & Ruteere, M. (2019). Violence, security and the policing of Kenya's 2017 elections. *Journal of Eastern African Studies*, 13(2), 1–19. <https://doi.org/10.1080/17531055.2019.1592328>
- Mutuku, C. (2017, October 2). How to measure election effect on Kenya's economy. *Business Daily Africa*. <https://www.businessdailyafrica.com/bd/opinion-analysis/ideas-debate/how-to-measure-election-effect-on-kenya-s-economy-2171470>
- National Cohesion and Integration Commission. (2016). *Ethnic and diversity audit of the county public service: Counties, Vol. I*. <https://cohesion.go.ke/images/docs/Ethnic-and-Diversity-Audit-of-the-County-Public-Service-2016.pdf>
- National Cohesion and Integration Commission. (2022). *Ethnic discrimination and exclusion in Kenya: A baseline survey*.
- National Cohesion and Integration Commission. (2024). *The state of peace and cohesion in Kenya* [Press statement, 27 May 2024]. <https://cohesion.go.ke/images/docs/downloads/p.pdf>
- National Democratic Institute. (2018). *A gender analysis of the 2017 Kenya general elections*. https://www.ndi.org/sites/default/files/Gender%20Analysis%20of%202017%20GeneralElections%20FINAL%20High%20Res%20for%20Printer%20-%20NEW%20COVER_small.pdf
- Ndemo, B. (2024, October 23). Affordable healthcare for Kenyans. *Business Daily Africa*. <https://www.businessdailyafrica.com/bd/opinion-analysis/columnists/affordable-healthcare-for-kenyans-4800790>

- Ndungu, P. W. (2018, February 15). Why Kenya's sanitation challenge requires urgent attention. *World Bank Blogs*. <https://blogs.worldbank.org/en/africacan/why-kenyas-sanitation-challenge-requires-urgent-attention>
- Nyadera, I. N., Agwanda, B., & Maulani, N. (2020). Evolution of Kenya's political system and challenges to democracy. In A. Farazmand (Ed.), *Global encyclopedia of public administration, public policy, and governance* (pp. 1–4). Springer. https://doi.org/10.1007/978-3-319-31816-5_3997-1
- Oduor, A. (2022, 24 April). Mwai Kibaki legacy: Education reforms led to higher enrolment rates. *The Standard*. <https://www.standardmedia.co.ke/education/article/2001443960/mwai-kibaki-legacy-education-reforms-led-to-higher-enrolment-rates?>
- Office of the High Commissioner for Human Rights. (2009). *UN human rights team issues report on post-election violence in Kenya* [Press Release, 18 March]. <https://www.ohchr.org/en/press-releases/2009/10/un-human-rights-team-issues-report-post-election-violence-kenya>
- Oloo, A. (2011). *Elections, representations and the new Constitution*. Society for International Development Constitution Working Paper No. 7. <https://constitutionnet.org/sites/default/files/elections-representation-and-the-new-constitution-wp7.pdf>
- O'Loughlin, E. A. (2017). Kenya's constitution in a global context. *International Journal of Constitutional Law*, 15(3), 839–848. <https://doi.org/10.1093/icon/mox062>
- Oluoch, F. (2017, October 21). Kenyan electoral bodies: A history of blunders and short stints. *The East African*. <https://www.theeastafrican.co.ke/tea/news/east-africa/kenyan-electoral-bodies-a-history-of-blunders-and-short-stints--1375900>
- Omulo, A. G. (2023). Towards an assessment of the legacy of Kenya's Uhuru Kenyatta: Pan-Africanist or subtle Western lackey? *Cogent Social Sciences*, 9(1), Article 2221970. <https://doi.org/10.1080/23311886.2023.2221970>
- Opala, K. (2023). *Criminal gangs and elections in Kenya* (Issue 37). ENACT Africa. <https://enactafrica.org/research/research-papers/criminal-gangs-and-elections-in-kenya>
- Otele, O. M., Balongo, S., & Iberi, D. (2025). *In Kenya, public trust in institutions and leaders is on a downward slide*. Afrobarometer Dispatch No. 1052. <https://www.afrobarometer.org/wp-content/uploads/2025/09/AD1052-Kenyans-trust-in-institutions-and-leaders-is-on-a-downward-slide-Afrobarometer-25sept25.pdf>
- Otieno, C. P. O., Matanga, F. K., & Iteyo, C. (2023). Kenya electoral system: A critical evaluation. *International Journal of Scientific and Research Publications*, 13(9), 161–168. <https://doi.org/10.29322/IJSRP.13.09.2023.p14121>

- Oucho, J. O. (2010). Undercurrents of post-election violence in Kenya: Issues in the long-term agenda. In K. Kanyinga, & D. Okello (Eds.), *Tensions and reversals in democratic transitions: The Kenya 2007 general elections*. Society for International Development & Institute for Development Studies.
<https://erepository.uonbi.ac.ke/server/api/core/bitstreams/9fce9d0a-cd11-4041-91df-e9cfb16e4f55/content>
- Putnam, R. D. (2007). *E Pluribus Unum*: Diversity and community in the twenty-first century: The 2006 Johan Skytte Prize Lecture. *Scandinavian Political Studies*, 30(2), 137–174.
<https://doi.org/10.1111/j.1467-9477.2007.00176.x>
- Rakhmatullin, S. D. (2025). Development of the primary and secondary education system in the Republic of Kenya (1963–2022). *Journal of the Institute for African Studies*, 33(2), 58–96.
https://africajournal.ru/wp-content/uploads/2025/07/2-2025_Rakhmatullin_Development.pdf
- Republic of Kenya. (2008). *Report of the Commission of Inquiry into post-election violence (CIPEV)*. Government Printer. <http://196.202.208.105:80/xmlui/handle/123456789/5270>
- Sandbrook, R. (1985). *The politics of Africa's economic stagnation*. Cambridge University Press.
- Shah, S. (2015). Free and fair? Citizens' assessments of the 2013 general election in Kenya. *Review of African Political Economy*, 42(143), 44–61. <https://www.scienceopen.com/hosted-document?doi=10.1080/03056244.2014.995162>
- Shilaho, W. K., & Monyae, L. (2024, August 29). Kenya's historic Gen-Z led protests: The issues. *ACCORD Conflict & Resilience Monitor*. <https://www.accord.org.za/analysis/kenyas-historic-gen-z-led-protests-the-issues/>
- Sigei, J. (2020, March 18). Decline in agriculture dents economic growth. *Daily Nation*.
<https://nation.africa/kenya/news/decline-in-agriculture-dents-economic-growth-256242>
- Sihanya, B. (2011). *The presidency and public authority in Kenya's New Constitutional Order*. Society for International Development Constitution Working Paper No. 2.
<https://www.sihanyaprofadv.co.ke/wp-content/uploads/2024/08/The-Presidency-and-Public-Authority-Order-in-Kenyas-New-Constitutional-Order.pdf>
- Southall, R. (2005). *The Ndungu report: Land & graft in Kenya*. Institute for Security Studies.
https://mokoro.co.uk/wp-content/uploads/ndungu_report_land_and_graft_in_kenya1.pdf
- The Carter Center. (2018). *Kenya 2017 general and presidential elections: Final report*.
<https://www.cartercenter.org/wp-content/uploads/2018/03/kenya-2017-final-election-report.pdf>
- The National Treasury and Economic Planning. (2024). *2024 Budget statement for the FY 2024/25*. Government of Kenya.
<https://www.treasury.go.ke/sites/default/files/Budget%20Speech/2024-Budget-Statement-for-the-FY-2024-25F.pdf>

- The Star. (2021, September 6). NCIC warns of criminal gangs regrouping ahead of 2022 polls. *The Star*. <https://www.the-star.co.ke/news/2021-09-06-ncic-warns-of-criminal-gangs-regrouping-ahead-of-2022-polls/>
- Thomson, A., Woods, E., O'Brien, C., & Onsomu, E. (2010). *Kenya country case study: Mid-term evaluation of the EFA Fast Track Initiative*. Cambridge Education, Mokoro, & Oxford Policy Management. https://mokoro.co.uk/wp-content/uploads/FTI_FullCCSKenya_Feb2010x1.pdf
- Throup, D. (2003). The Kenya general election: December 27, 2002. *Africa Notes*, 14, 1–9. https://csis-website-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/media/csis/pubs/anotes_0301b.pdf
- TIFA Research. (2025). *Elections past and forthcoming: Integrity issues and the IEBC* [Survey report]. https://www.tifaresearch.com/wp-content/uploads/2023/03/TIFA-Poll_Elections-Past-and-Forthcoming_Integrity-Issues-and-the-IEBC_7-May-2025.pdf
- Trends and Insights for Africa. (2025). *Public confidence in the IEBC and the 2027 elections* [National survey].
- Twaweza East Africa. (2022). *Kenyans and the 2022 election: Sauti za Wananchi survey findings*. Brief 41. <https://twaweza.org/wp-content/uploads/2022/03/SzW-KE-Elections-Brief41-FINAL-print.pdf>
- Tyler, T. R. (1990). *Why people obey the law*. Yale University Press.
- Tyler, T. R. (2006). *Why people obey the law: Procedural justice, legitimacy, and compliance* (2nd ed.). Princeton University Press.
- Uraia Trust. (2024). *Strategic insights research report on electoral excellence: Thematic recommendations for pre-2027 electoral reforms – Civic Awareness and voter education research brief*. <https://uraia.or.ke/wp-content/uploads/2024/09/PER-Civic-Voter-Education-Research-Brief.pdf>
- Wantchekon, L. (2003). Clientelism and voting behavior: Evidence from a field experiment in Benin. *World Politics*, 55(3), 399–422.
- Wanyande, P. (2001, September 15). *Electoral systems* [Paper presented at the Seminar on the Interpretation of the CKRC's Mandate]. Constitution of Kenya Review Commission, Mombasa, Kenya. <https://paperzz.com/doc/8962429/technical-appendices--vol-v-pt1>
- Wanyande, P. (2006). Electoral politics and election outcomes in Kenya. *Africa Development*, 31(3), 62–80.
- Wepundi, M., & Sharamo, R. D. (2021). *The state of peace and security in East Africa*. Monograph 205. Institute for Security Studies. <https://issafrica.s3.amazonaws.com/site/uploads/Mono-205.pdf>

- Willis, J., & Chome, N. (2014). Marginalization and political participation on the Kenya coast: The 2013 elections. *Journal of Eastern African Studies*, 8(1), 115–134.
<https://doi.org/10.1080/17531055.2013.844443>
- Wolf, T. P., Logan, C., Owiti, J., & Kiage, P. (2004). *A new dawn? Popular optimism in Kenya after the transition*. Afrobarometer Working Paper No. 33.
<https://www.afrobarometer.org/publication/wp33-new-dawn-popular-optimism-kenya-after-transition/>
- Wolf, T. P., Logan, C., & Owiti, J. (2010). *Kenyans and the coalition government: Satisfaction, but little trust*. Afrobarometer Briefing Paper No. 91.
<https://www.afrobarometer.org/publication/bp91-kenyans-and-coalition-government-disappointment-spite-relative-peace/>
- World Bank. (n.d.). *Gini index: Kenya – Income share held by highest 20% – Kenya, high income data*. <https://data.worldbank.org/indicator/SI.POV.GINI?locations=KE>
- World Bank. (2009). *Kenya poverty and inequality assessment: Executive summary and synthesis report* (Report no. 44190-KE). World Bank.
<https://documents1.worldbank.org/curated/en/425611468089394594/pdf/441900ESW0P0901IC0Dislosed071171091.pdf>
- World Bank. (2023a). *Kenya economic update: Transforming public service delivery through digital inclusion*. <https://www.worldbank.org/en/country/kenya/publication/kenya-economic-update-keu>
- World Bank. (2023b). *Kenya poverty and equity assessment: From poverty to prosperity: Making growth more inclusive*.
<https://documents1.worldbank.org/curated/en/099121323073037589/pdf/P1773530a7eb3009308e3f08663aa95c826.pdf>
- World Bank. (2023c). *Kenya's economy is recovering from the polycrisis, but challenges remain*. Kenya Economic Update, Edition 27. <https://www.worldbank.org/en/news/press-release/2023/06/07/kenya-afe-economy-is-recovering-from-the-polycrisis-but-challenges-remain>
- World Bank. (2024, June 5). *Kenya's economy exhibited robust growth in 2023 despite persistent challenges*. [Press release]. <https://www.worldbank.org/en/news/press-release/2024/06/05/kenya-afe-economy-exhibited-robust-growth-in-2023-despite-persistent-challenges>
- World Bank. (2025). *World development indicators*. <https://data.worldbank.org/country/kenya>

Conclusion: Governing on Whose Behalf? Politics, Elections, and the Crisis of Representation and Responsiveness in South Africa and Kenya

Ebrahim Fakir

This occasional paper, a collection of two country studies, sets out to resolve the paradox of democratic endurance coexisting with substantive decay by examining the critical nexus among institutional and process integrity and stability, political incentive structures, and citizen trust in two distinct yet comparable African democracies.

The comparative analysis of Kenya and South Africa has revealed that, while their institutional challenges originate from different points on the political spectrum, they converge on a shared pathology – the capture of democratic function by a transactional, self-serving political elite.

1 Comparative Analysis

Comparative analysis traditionally relies on two broad strategies. The first compares countries with similar institutional characteristics to identify the variables responsible for different political outcomes. The second compares countries with different institutional arrangements to determine whether similar political outcomes emerge despite divergent historical and constitutional trajectories. This study adopts the latter approach.

South Africa and Kenya differ in nearly every conventional institutional respect. Their histories of state formation, constitutional development, electoral systems, party systems, and executive structures differ substantially. South Africa operates under a proportional representation system within a parliamentary framework that incorporates aspects of devolution and decentralisation, while Kenya combines presidentialism with constituency-based elections and extensive constitutional devolution. South Africa's transition to democracy emerged through a negotiated settlement following apartheid, whereas Kenya's democratic evolution has been shaped by constitutional reforms after prolonged authoritarian rule and recurrent electoral conflict.

The comparative analysis is organised around four interdependent analytical dimensions. The first dimension pertains to institutions. This includes constitutional design, electoral systems, judicial oversight, electoral management bodies, party systems, the formation of a governing coalition, and executive authority.

The second dimension relates to political representation. This analysis goes beyond institutional arrangements to examine how political parties mediate the relationships among citizens, organised social interests, and the state. Particular attention is devoted to the changing representative character of coalition politics and the extent to which governing arrangements continue to reflect identifiable social constituencies.

The third dimension concerns legitimacy. Rather than treating legitimacy as a singular concept, the analysis distinguishes between procedural legitimacy, which is derived from constitutional compliance; substantive legitimacy, which arises from responsive governance; and performance-dependent legitimacy, which is generated through continued governmental effectiveness. This multidimensional concept of legitimacy serves as the conceptual bridge between democratic electoral politics and democratic governance.

The fourth dimension relates to political economy. Democratic institutions operate within broader systems shaped by economic incentives. The analysis therefore examines how access to public resources, patronage, procurement, administrative appointments and state authority shapes political behaviour, coalition bargaining, and governmental stability.

Crucially, the findings demonstrate that whether the primary failure is procedural, as in Kenya, or performative, as in South Africa, the consequence is a pronounced disconnection between the state and its people, manifesting as widespread frustration with governance structures viewed as unresponsive and self-serving.

Across both cases, several findings emerge that have broader implications beyond the two countries. The first finding is what is termed performance-dependent legitimacy. There has been a shift, particularly among younger people, from evaluating democracy based on its procedural properties to judging it by its substantive outputs. Afrobarometer data shows that a substantial majority of South Africans would be willing to forego regular elections if a non-elected government could provide basic services. Kenya's Generation Z protests of 2024, which were cross-ethnic, digitally organised, and ideologically grounded in the language of rights, social and economic justice, and anti-corruption sentiment, signalled a shift from ethnic loyalty to issue-based mobilisation, although this shift remains incomplete. In both contexts, the legitimacy of democratic institutions became increasingly conditional and contingent on governance performance, creating fragility when governmental performance was disappointing and inadequate based on its own promises and commitments.

The second finding is the fusion of political incumbency and economic opportunity. In both countries, the stakes of holding political office – such as access to contracts, tenders, procurement, land, and state largesse – have become so high that electoral competition is no longer primarily about policy or ideology. Instead, it is about accessing and controlling the acquisition of economic resources through the state. This logic drives the targeted political violence that characterises South Africa's political and governmental landscape and underlies the elite coalition arithmetic in Kenya's presidential contests. It explains why, in both countries, party fragmentation and proliferation have not led to ideological diversity but rather to personalised factional competition for proximity to power and resources.

The third finding highlights the limitations of institutional reform without accompanying cultural change. Both countries have implemented significant legal, regulatory, electoral, and constitutional reforms. South Africa's Electoral Amendment Act of 2023, which allows

independent candidates, and Kenya's transformative 2010 Constitution have both altered formal institutional arrangements without fundamentally changing the underlying political dynamics. In South Africa, independent candidates failed to secure a single seat in the 2024 elections because the structural incentives of party competition and resource asymmetry overwhelmed the formal legal opening. In Kenya, the 2010 Constitution's devolution of power has deepened ethnic competition rather than mitigated it because political elites at the county level have replicated the same predatory patronage dynamics seen at the national level, albeit on a smaller scale. The lesson from both cases is that while institutional design is necessary, it is not sufficient unless the incentive structures that reward upward accountability within political parties and between political elites, over downward responsiveness to the people and constituencies in society, are changed.

The pervasive culture of impunity is the fourth shared finding. The widespread belief is that the primary goal of politics is to gain control of the state solely for economic and political opportunities, viewing it as an end in itself rather than as a means to serve a greater purpose. In such a context, the loss of political power is perceived as an existential threat, which underpins the culture of impunity observed in both cases, albeit in different forms. In Kenya, impunity, both electoral and procedural, manifests in the selective use of law enforcement to shield incumbents and suppress dissent, alongside systemic issues such as the excessive use of force and the overt political biases of the police. This is impunity being used to protect access to power during the contest. In South Africa, impunity manifests in the governance process and is predatory; it becomes institutionalised once in power. This involves the politicisation and personalisation of security institutions for predatory ends, as well as the fusion of powerful private interests with the government. This is impunity being used to monetise access to the state after the contest.

Both forms of impunity are pernicious, but the common thread is the fundamental erosion of the rule of law. When political elites operate under the assumption that they are above the law, whether to win an election or to loot the state, democratic norms are sacrificed, and the incentive structure shifts definitively away from politics as a public service.

A fifth finding emerges from the evidence of the two country studies, one that is less obvious but no less significant, than the others. It concerns the relationship between governmental and societal weaknesses and the conditions under which democratic decline produces both political disengagement and a broader withdrawal from the obligations of shared civic and public life.

Consider the everyday moral landscape of contemporary South Africa and Kenya that the two papers outline. Violence, both political and social, has become ordinary. In South Africa, it is the organised violence of criminal networks seeping into government functions and shaping political competition. In Kenya, it is the groups who avail themselves to political entrepreneurs of ethnicity and primordial identity. They morph into everyday interpersonal and social violence, as well as the systematic theft and vandalism of public infrastructure in protests in South Africa and electoral violence in Kenya. They demonstrate that, in measurable and consequential ways,

people appear to have loosened their attachment to the rules that a functioning public order requires, and that people in the respective societies rate their collective commitment to shared social norms rather poorly. In both South Africa and Kenya, declining trust in public institutions and the fact that focus group and survey respondents increasingly identify inequality, corruption, and economic exclusion – not race, ethnicity, or identity – as the principal fault lines dividing society are the root causes of social fracture. The question then is why did parochial identity politics and racial and ethnic mobilisation gain traction in the two countries? These two papers suggest that the answer lies in the relationship between governmental failure and social explanation. When governments lose the capacity to govern – cannot deliver services, are unresponsive to public concerns, are unable to enforce accountability, cannot guarantee security, and cannot credibly represent the interests of those who elect them – then the people who are governed stop demanding answers from institutions and begin seeking explanations from each other, reaching for answers in identity terms. This is not irrational. It is a rational response to the collapse of the institutional channels through which legitimate claims about resources, recognition, and representation are supposed to be processed. Where institutions fail to adjudicate social conflict fairly and predictably, people adjudicate it through the categories of belonging that remain available to them. Identity fills the vacuum that institutional failure creates, and societal drift from progressive inclusivity towards reactionary exclusion occurs through a shift produced by the accumulation of institutional failures, each of which shifts the incentive to organise politically around identity rather than interests, and exclusion rather than solidarity.

Respondents to surveys and focus groups in both South Africa and Kenya have demonstrated, through extra-institutional mobilisation, including Kenya's Gen Z protests and South Africa's protests and various civic coalitions, that they retain democratic values and a willingness to act on them. What is lacking is not public interest but civic infrastructure – the organised civil society institutions, community associations, trade unions, professional bodies, and social movements through which civic organisation can be sustained between elections and directed at specific governance failures, and translated into accountable political representation. Rebuilding that infrastructure is as important as reforming the political and electoral systems.

This also has the potential to aid in the reconstruction of social solidarity across the social cleavages that identity politics has divided and deepened. This is not to suggest the suppression of legitimate identity claims or the denial of the material grievances that identity politics frequently, if inadequately, articulates. It suggests that solidarity – the willingness to identify interests that align with those of others who may be differently positioned – becomes the organising principle of politics, without which democratic politics and democratic governance cannot function. A retreat from solidarity would be a retreat from the conditions that make collective governance possible.

2 Findings from the Comparative Analysis

The two country studies in this series were designed not to demonstrate that South Africa and Kenya are similar, but rather to assess whether the democratic predicaments they confront are produced by common structural conditions or by resemblances between two very different political systems. The purpose of the comparative analysis was not merely to catalogue similarities, but to explain them where they exist and to determine what, if anything, they reveal about the conditions that sustain or erode democratic authority.

The answer provided by the two studies is unambiguous. The democratic challenges confronting South Africa and Kenya are not coincidentally similar. They are produced by the same underlying dynamics, which operate through different institutional arrangements and manifest in various political forms. The introduction to this series identified three interrelated problems:

- The challenge confronting both democracies is increasingly governmental rather than electoral.
- Coalition politics have compounded the fragmentation of representation rather than resolved it.
- Institutional reforms cannot secure democratic sustainability if the political incentives shaping competition for state power remain fundamentally unchanged.

The two country studies have tested and substantially confirmed these claims. In the process, it has also identified a fourth problem:

- Democratic governments fail due to unaccountability, irresponsibility, and impunity in office.

The form that impunity takes in each country may differ, but its effects are generally the same. In Kenya, impunity is predominantly immediate and associated with the electoral process and its contestation. It manifests in the selective deployment of law enforcement to shield incumbents, the suppression of political competition through intimidation and violence, the manipulation of electoral administration, and the systemic corruption of security institutions. This is impunity deployed to protect access to power during the contest for it.

In South Africa, impunity is less apparent during the electoral process, which maintains substantial procedural integrity, but becomes more pervasive once power has been secured. The politicisation of public institutions is evident in the fusion of political representative offices with executive and administrative offices, which enables private accumulation through government decision-making, administration, and implementation. Additionally, oversight and accountability mechanisms are systematically eroded through what the South African paper terms collaborative criminal governance, characterised by collusion among political actors, elements of the state apparatus, and criminal networks. They work to eliminate rivals and protect their economic interests. In South Africa, impunity is deployed to monetise access to the state after the electoral contest has been won.

The distinction in form is important for how the reform is designed. Addressing Kenya's democratic deficit requires, among other things, the independence of electoral administration, the depoliticisation of the security apparatus, and enforceable political and campaign finance regulations. Addressing South Africa's culture of impunity requires the separation of public administration from party control, the prosecution of criminal activity infecting governance, the reform of public contracting, procurement, supply chain, and tender systems that have become the primary economic rationale for seeking political office, and the separation of representative office from executive and administrative functions – especially at the local municipal level.

These interventions differ, but the underlying logic to which they respond is the same. In both countries, holding political office has become so closely linked to economic opportunity that electoral competition is no longer primarily about politics, policy, ideology, or competing ideas and visions for social and economic development. It concerns controlling the distributive capacity of the state and the intensity with which that competition is conducted, including the use of violence, coercion, and impunity.

An additional comparative finding concerns the relationship between electoral systems and representational outcomes. The framing introduction noted that South Africa's closed-list proportional representation and Kenya's first-past-the-post system reflect fundamentally different institutional choices. Together, the two studies demonstrate that these different institutional arrangements have converged on the same representative outcome: governing arrangements that do not derive their mandate or legitimacy from identifiable social constituencies, organised interests, or coherent programmes of governance. South African coalitions are negotiated after elections within Parliament, while Kenyan coalitions are negotiated before elections through elite bargaining. The institutional sequence differs. The representative deficit is identical. In both cases, governing authority emerges from negotiations among political elites rather than from coherent constituencies organised around shared political projects. This suggests that the representative deficit is not a product of any particular electoral system but rather a result of a broader change in the nature of the relationship between political organisation and social constituency that transcends institutions and their design.

3 The Relational Character of Democratic Fragility

Understanding why democratic representation and responsiveness, as well as democratic governmental authority, are eroding in both countries requires moving beyond assessing individual institutions to examining the relationships between them. Democratic governance fragility in both South Africa and Kenya is not primarily the result of institutional failure in any single domain. Rather, the fragility is relational and occurs when the relationships that are supposed to connect these institutional domains – and then connect all of them to the people they are meant to serve, who provide the consent to be governed under these arrangements – start to markedly diverge.

Democratic representation, responsiveness, and authority depend on four mutually reinforcing relationships. The first relationship is procedural legitimacy, derived from elections that are competitive, free, fair, credible, and administered with integrity. The second is representative legitimacy, derived from the relationship between governments and the organised social constituencies from which they draw their political mandate. The third is performance legitimacy, derived from the capacity of governments to translate electoral mandates into effective governance, distributive justice, and equitable access to public goods and services. The fourth is institutional legitimacy, derived from public confidence that the institutions through which democratic authority is exercised, constrained, and rendered accountable act impartially, perform competently, uphold the rule of law, and command sufficient public confidence to secure voluntary compliance with their authority.

Democratic resilience is strengthened when these four relationships reinforce one another. Citizens participate in credible elections, political parties remain connected to organised constituencies, governments govern effectively and responsively, and public institutions retain public confidence. Under these conditions, democratic authority accumulates legitimacy over time and demonstrates the capacity to renew itself.

Democratic fragility, on the other hand, emerges differently. It does not begin with electoral fraud or a constitutional crisis, but rather when the relationship among these four dimensions gradually diverges, even as elections remain procedurally credible and governments perform poorly. Political parties might continue winning majorities while still losing meaningful social constituencies, institutions might remain intact even as public confidence in them erodes, or governments may be legally constituted while people struggle to identify the political projects and social interests they actually represent.

South Africa illustrates how procedural legitimacy can remain remarkably robust even as representative, performance, and institutional legitimacy progressively weaken. The Independent Electoral Commission has administered elections with credibility and integrity, but procedural integrity alone is not sufficient to sustain democratic authority. When the governments that elections produce consistently fail to deliver on the substantive promises of democratic governance – redistribution, accountability, responsive public services, and equitable access to economic opportunity – then procedural legitimacy becomes detached from democratic satisfaction. People may continue to recognise the constitutional rules of the game while losing confidence that the game will produce outcomes that serve them. The consequence is not the rejection of democracy as a principle but the withdrawal from its practice, resulting in declining voter participation in elections and disengagement from formal political and governmental channels.

Kenya demonstrates how substantial institutional reform can strengthen procedural legitimacy without resolving the representative and incentive structures that shape political competition. The 2010 constitutional reforms produced a significantly stronger institutional architecture, yet they did not alter the manner in which Kenyan democratic competition operates. The stakes of

electoral victory – access to public resources, patronage networks, appointment systems, and the economic opportunities that flow through executive authority – all remained intact. The institutional framework changed substantially, but the logic of political competition did not.

The concept of the contagion effect, developed in the South African paper, applies with equal force in the Kenyan context. An institution that performs well but is embedded in a political ecosystem that is broadly discredited will suffer reputational damage it has not caused itself. The Independent Electoral Commission's declining trust ratings reflect the deterioration of the political class as a whole, not the commission's own conduct. In Kenya, the Independent Electoral and Boundaries Commission's credibility fluctuates not only with its administrative performance but also with the broader political context in which elections are contested. This means that improving the technical performance of electoral commissions will not, by itself, restore institutional legitimacy where the broader political context rewards predation over public service.

4 The Political Economy of Democratic Failure

The third interrelated problem identified in the framing introduction is that institutional reforms cannot secure democratic sustainability when the political incentives shaping competition for state power remain fundamentally unchanged. The central incentive problem in both countries is that the state has become the principal distributor of economic opportunities. State contracting, public procurement, tenders, infrastructure development, public employment, licensing, regulation, social protection, and investment decisions collectively make governments some of the largest allocators of capital and economic opportunity in both societies. Access to governmental authority – whether through a representative office or the public/civil service thus provides access not only to offices and positions of influence and decision-making but also to extensive networks of economic influence. Political competition increasingly becomes competition over access to the distributive capacity of the state. Where distributive capacity is large, concentrated, inadequately regulated, and weakly supervised through stunted and blunted oversight, the incentive to capture and retain control of the state is correspondingly intense. The costs of losing office become an existential threat in economic terms, experienced not simply as political defeat but as an economic catastrophe.

Both papers treat electoral violence not as a problem of democratic immaturity or civic culture, but as a symptom of a specific political economy in which access to public office is intertwined with economic opportunity. Where political incumbency controls procurement, contracts, tenders, land allocation, public employment, and contract networks, the stakes of losing office are not merely political but also economic and existential. Violence, in this context, is not irrational; it is a calculated response to the structure of incentives. In South Africa, this logic produces targeted, continuous, low-intensity political killings that have become a routine feature of governance – councillors eliminated by rivals within the same party and tender beneficiaries protected by informal networks embedded in government.

In Kenya, the same logic has produced, at its most catastrophic, the 2007–2008 mass violence and, in less extreme forms, the persistent use of youth militias, intimidation, and resource manipulation in every electoral cycle. The difference in scale reflects differences in institutional history, interethnic relations, and the specific configuration of economic interests, but the underlying dynamics are comparable. Violence reduction in both contexts depends not primarily on security deployment or conflict mediation, however valuable they may be, but on reducing the economic returns of impunity and political office, and on strengthening alternative channels through which economic opportunities can be accessed independently of political patronage. Where politics is the primary route to economic security, politics, governance, and elections will remain dangerous.

This altered the character of electoral competition in ways that electoral system reform alone will be unable to address. Governmental authority has become the gateway through which economic opportunities are allocated, predatory and patronage networks are maintained, and political organisations are reproduced. The state has gradually shifted from being an instrument through which political mandates are implemented to being the principal object over which political-economic competition is organised. Elections remain contests over political authority, but they are simultaneously contests over the allocation of economic opportunities. This helps explain the intensity with which electoral competition is conducted, as well as the recourse to coercion, violence, and impunity that accompany it in the Kenyan electoral process and the South African governmental process.

Changing these incentives requires a broader conception of democratic reform than electoral system design alone can provide. Greater transparency and genuine independence in public procurement reduce the extent to which procurement becomes a mechanism for political patronage. Stronger merit-based public appointments would reduce the extent to which appointments become instruments of factional consolidation. More widely distributed economic opportunities – through effective competition policy, support for smaller enterprises, and genuine redistribution – would reduce the dependence of economic survival on proximity to political power. More autonomous and better-resourced civil organisations would strengthen the oversight and accountability relationships that connect the governed to their governors between electoral cycles. None of these interventions would be sufficient on their own. Together, they could constitute the conditions under which political office becomes less economically indispensable and under which losing an election carries costs that are only political, rather than existential.

5 Points of Difference

Alongside these convergences, the two cases also highlight important differences that complicate any straightforward comparative narrative.

Kenya's experience of catastrophic electoral violence – most acutely in 2007–2008, but recurring since 1992 – has produced institutional responses and a culture of conflict management that

South Africa, despite its own social and political violence, has not needed to develop to the same degree. Kenya's network of party liaison committees, early warning systems, devolved conflict mediation mechanisms, and the deterrent effect of the International Criminal Court prosecutions have collectively produced a different kind of institutional learning about managing the risk of mass violence. South Africa's political violence, being more diffuse, continuous, criminalised, and embedded in everyday governance rather than erupting in episodic election seasons, has proven correspondingly harder to address through institutional reforms alone.

The role of identity and ethnicity also operates differently in the two contexts. Kenya's ethnic arithmetic is more explicit and determinative of electoral outcomes and government formation. Here coalition government formation is essentially a matter of communal arithmetic. South Africa's racial identity politics operate on a different scale. Race still shapes electoral behaviour and institutional trust, but within a more fragmented identity landscape in which class, geography, and generational positioning increasingly cut across racial identification, especially among younger urban voters.

South Africa's trajectory suggests that identity-based voting can stimulate mass withdrawal from the electoral and political process, and that it can potentially shift more quickly than is commonly assumed – when governance performance is sufficiently lacklustre and disappointing. Kenya's 2024 Gen Z protests offer a similar signal, though both papers rightly caution against overstating the permanence of voter withdrawal and shifts in party support patterns.

Finally, the two countries are at different stages in their democratic trajectories. South Africa's 2024 elections – the first to produce a coalition government at the national level since the democratic transition – represent a form of political normalisation. This development is part of a historical trajectory that began gaining momentum with the 2016 local government elections, intensified in the 2021 local government elections, and culminated in the 2024 national elections, which produced a coalition government. This shift represents a move from dominant-party rule towards a more competitive, albeit fragile, multiparty landscape. Kenya's electoral trajectory, by contrast, has been characterised by alternation in power since 2002; however, each alternation has reproduced rather than transformed the underlying logic of elite accommodation and patronage politics. Competitive elections in Kenya have not resulted in accountability, only a different group of beneficiaries. South Africa's emerging coalition politics present a different risk. The danger is not that incumbents become entrenched, but that governance itself becomes paralysed by what the South Africa paper calls politicised uncertainty, which refers to the strategic deployment of coalition instability as a bargaining instrument and institutionalised ambiguity, which involves embedding vague norms, flexible procedural interpretations, and discretionary rule application within political and administrative institutions. This creates a structural environment that enables opaque governance.

Both papers document, through different empirical routes, the same underlying dynamic that citizens increasingly evaluate democratic institutions – not based on whether elections are free

and fair, but on whether they produce governments that deliver. This shift towards performance-dependent legitimacy is not simply popular impatience with democratic governments' slowness. It reflects a rational assessment by citizens, particularly younger ones, that three decades of competitive elections have not materially altered their life chances, access to services, or economic security (Dlamini et al., 2026).²⁷

In South Africa, Afrobarometer data showing that a majority support foregoing elections if a non-elected government could deliver jobs, safety, and housing must be considered alongside focus group evidence indicating that citizens do not reject democracy as a concept but have lost confidence in specific institutional arrangements – such as closed-list proportional representation, party-centric accountability, and fragmented coalition governance – to provide the responsiveness they need. In Kenya, a similar pattern appears but with different characteristics. The 2024 Gen Z protests were not anti-democratic; rather they demanded that democracy perform, that public participation be real rather than performative, and that accountability have consequences. Respondents in Afrobarometer surveys reject both one-party rule (56%) and one-person rule (61%) (Visser, 2026, p. 6). In addition, 61% of respondents support choosing the country's leaders through elections (Mpako & Ndoma, 2026, pp. 4–5). These findings suggest that people in both countries have not abandoned democracy as an aspiration, a set of social practices, or a form of authority altogether. The data shows that people are open to the policies of democratic governments, even though they remain sceptical of those responsible for implementing them and conducting oversight of their operations. This finding paints a picture of retaining a preference for democracy as a form of social practice and government, while simultaneously losing faith in the specific institutions and individuals who administer it.

The manifest danger, however, is that prolonged democratic failure and an extended crisis of credibility can lead to a legitimisation crisis, thereby normalising the abandonment of a preference for democratic government over time. This suggests something consequential: the social norm underpinning the consent that people in a democracy give to a government can no longer be assumed or taken for granted but must be regularly earned by those in authority and power.

6 Democratic Resilience and Its Conditions

Both country papers provide evidence of democratic resilience. South Africa's 2024 elections resulted in the first coalition government at the national level, following coalition and minority

²⁷ One study of the 2024 elections shows that voting behaviour "is in line with the rational model, wherein voting behaviour is simply influenced by peoples' needs ... elections will likely continue to reflect the complex interplay of identity, economic concerns, and evolving political loyalties in South Africa's maturing democracy... identity politics is not the sole determinant of voting behaviour in South Africa. Other factors such as economic conditions, policy preferences, populism, and perceptions of government performance also play important roles ... identity is an important but not entirely deterministic factor in determining voter behaviour ... voting behaviour could have been influenced by disillusionment among voters over failure by the ruling party to fulfil some of its promises ... the research underscores the ongoing importance of economic policies targeting inequality and unemployment, as these factors continue to exert significant influence on voting patterns".

governments that have existed in local elections since 2016. These are the first coalition governments since the democratic transition. Consequently, the transition from dominant-party rule to coalition governance demonstrated that South Africa's constitutional institutions were sufficiently robust to manage one of the most consequential political transitions since 1994 without any institutional breakdown. The fact that the African National Congress accepted a result that stripped it of its governing majority and required it to negotiate its continued participation in government through a coalition is noteworthy. In many political contexts, including Kenya in 2007, such moments could have triggered social and institutional crises. In South Africa, the situation was managed through constitutional procedures, in which procedural legitimacy performed its most basic yet important function.

However, the coalitions also reveal a different form of fragility. When coalition government actors benefit more from maintaining irresolution than resolving differences and problems, governance becomes a secondary objective of the governing arrangement rather than its primary one. Coalitions' capacity to pursue coherent governance, rather than merely managing interparty competition, will determine whether the pluralisation of South African politics produces democratic deepening or a new form of democratic hollowing – one in which the formal institutions of coalition governance function while the substantive project of democratic governance is subordinated to the maintenance and management of coalition stability.

Kenya's Gen Z protests of 2024 constitute evidence of a different form of democratic resilience – one that is equally important. The protests demonstrated that cross-ethnic, issue-based civic mobilisation is possible in a society long assumed to be structured exclusively around ethnic arithmetic and elite accommodation. Young Kenyans organised across communal lines around demands for responsiveness, accountability, transparency, and social and economic justice. They did so with sufficient force to compel the withdrawal of a contested Finance Bill and the dissolution of the Cabinet. The protests demonstrated that political culture is not fixed, that ethnic logic is not primordial, and that it can be disrupted at moments of sufficient sociopolitical and economic grievance, accompanied by the concentration of civic organisation that operates on the basis of rights and distributive justice rather than identity and communal belonging.

What the Gen Z protests also demonstrated, however, is the fragility of extra-institutional mobilisation as an instrument of lasting democratic change. Protests can compel specific governmental responses but cannot, on their own, change the incentives that generate the governance failures they protest. The risk is that the energy of civic mobilisation becomes absorbed into the patronage networks of the next electoral cycle rather than translated into reforms that alter the political economy of governance. Democratic resilience, in Kenya as in South Africa, requires more than the periodic eruption of civic mobilisation. It requires the institutional conditions under which that mobilisation can be sustained between electoral cycles, organised into accountable political representation, and translated into governance reforms that change the incentive structures within which political elites operate.

7 Challenges of Democracy and Democratic Governance

The contemporary challenges confronting South Africa and Kenya concern both how governments are constituted and how democratic governments sustain legitimacy after democratic renewal or alternation. How can governments maintain accountability and responsiveness when authority is dispersed among multiple political actors with competing interests, especially in coalition government contexts? How can political parties continue to represent citizens when their organisational foundations within society have weakened, and their primary orientation has shifted from the aggregation of ideas and social interests to the competition for governmental office? Under what conditions can democratic governments maintain public confidence amid increasing economic pressures, political fragmentation, and the detachment of governing arrangements from the constituencies that once granted them representative legitimacy?

The central argument of this series, tested against the evidence of two country papers and developed through their comparison, is that the contemporary democratic challenge in postliberation and postcolonial African states is not primarily one of democratic transition, constitutional design, or electoral administration. While these are necessary foundations of democratic politics, the more pressing challenge is what happens after elections have produced governments and governing authority has been translated into democratic governance.

This requires rebuilding the social foundations of political representation. Political parties must recover meaningful relationships with organised constituencies beyond the state (such as workers, communities, civic associations, professional bodies, and social movements), especially if coalition politics is to become a vehicle for representative governance rather than an increasingly sophisticated mechanism for allocating governmental authority among political elites. Where parties represent only themselves, and coalitions aggregate only numbers, the representative chain linking citizens to government becomes so attenuated that democratic authority, however procedurally impeccable, loses its substantive meaning.

The question confronting democracy and democratic government in both South Africa and Kenya is no longer simply who governs, but on whose behalf the government governs.

Democratic authority is not exhausted by elections, nor is it secured by constitutional design alone. It is reproduced through the continuous renewal of representative relationships linking people with the public, political parties, organisations and institutions, and the state. Where those relationships weaken, elections may continue, governments may be constitutionally constituted, and institutions may formally endure. Yet democratic legitimacy progressively erodes because authority is no longer perceived as representative. The central challenge confronting postliberation and postcolonial states such as South Africa and Kenya is therefore no longer principally about how governments are elected, but about how democratic authority is continually reproduced between elections through institutions capable of sustaining representation, responsiveness, accountability, and public trust.

References

- Mpako, A., & Ndoma, S. (2026). *Democracy on shaky ground in South Africa as dissatisfaction with its functioning abounds*. Afrobarometer Dispatch No. 1170. Afrobarometer & Institute for Justice and Reconciliation. <https://www.afrobarometer.org/wp-content/uploads/2026/04/AD1170-Democracy-on-shaky-ground-in-South-Africa-Afrobarometer-16apr26.pdf>
- Visser, R. (2026). *Democracy and its discontented: What drives demand for democracy in South Africa?* Afrobarometer Policy Paper No. 102. <https://www.afrobarometer.org/wp-content/uploads/2026/04/PP102-Democracy-and-its-discontented-What-drives-demand-for-democracy-in-South-Africa-Afrobarometer-7april26.pdf>