

# Botswana's 2024 Elections: The Independent Electoral Commission (IEC) Under Public Surveillance and Scrutiny

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## Abstract

All national elections held in Botswana since Independence have been declared free and fair. Despite positive evaluations of Botswana elections over the years, public trust in the Botswana Independent Electoral Commission (IEC), the institution tasked with the administration of elections in Botswana, has been declining. In the period leading to the 2024 elections, opposition parties raised concerns about possible rigging and manipulation of the election process in favour of the ruling party. This paper examines public trust in the IEC in the period leading to the 2024 elections. It argues that the IEC attracted considerable public scrutiny because of declining public trust in the IEC and other government institutions and general dissatisfaction with the quality of democracy in Botswana.

**Keywords:** Botswana, elections, institutional trust, IEC, democracy

## Introduction

It is generally accepted that elections are essential to the functioning of democracy because they serve as a means to hold governments to account. The legitimacy of elected government and leaders rests on the credibility of elections. Many illegitimate governments, especially in developing countries, face governance challenges due to the lack of credibility of elections, among other factors. In such situations, ruling parties have employed various measures to circumvent the electoral process and rig elections, which often lead to rejection of results by losing candidates and political parties. To stay in power, long-time ruling parties and leaders use tactics ranging from gerrymandering, interfering with the work of or

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colluding with electoral management bodies, voter trafficking, double voting, and manipulation of results. Thus, a common occurrence in some sub-Saharan African countries is that elections often result in post-electoral disputes and violence, as was seen in Kenya and Zimbabwe in 2007 and 2008 respectively. The Southern African region has experienced post-electoral disputes and violence in Zimbabwe and Mozambique, when electoral outcomes were not accepted by opposition and violence ensued.

Until recently, Botswana has been considered one of the exceptions to the trend of African countries conducting flawed elections. Botswana's liberal democracy is considered a model partly due to a track record of conducting credible, free, and relatively fair elections since Independence in 1966 (Botlhomilwe and Sebudubudu 2011; Seabo and Nyehuis 2021). Moreover, and related, scholars note that a defining feature of Botswana's democracy is the existence of functioning institutions (Magang 2015) and, according to Tsie (2017: 181), 'state institutions matter in development outcomes and also in nourishing and supporting democratic practices'.

However, in recent years, Botswana has recorded an increased distrust of and erosion of public confidence in public institutions. For example, the Afrobarometer perception surveys from 2008 to 2014 show a decline in institutional trust in the presidency and Parliament (Seabo and Molefe 2017). Similarly results of the 2022 survey show a substantial rise in the number of citizens who perceive these institutions to be corrupt. Institutional trust in the Independent Electoral Commission (IEC) has also been diminishing.

This paper reflects on public and opposition parties' perception of Botswana's electoral management body, and specifically analyses trust and confidence in the IEC during the 2024 elections. It demonstrates that political parties subjected the IEC to scrutiny and constantly questioned and challenged its processes in a manner not seen before. The paper argues that the numerous court cases between the IEC and opposition political parties, that were borne out of this increased scrutiny of the IEC and heightened concerns about possible bias in 2024, were due to weakened public trust in government institutions in general, but also specifically in the IEC.

The theoretical underpinnings of the paper are a mutually reinforcing relationship between electoral trust, belief in democratic institutions, and a healthy democratic governance system. The premise is that trust in democratic institutions and electoral trust are factors in the overall levels of satisfaction that citizens have with their democracy. The notion of institutional trust is inherently multidimensional. Its meaning and, therefore, its measurement vary considerably across institutions. Institutional trust means 'trust in political institutions in general'. It implies

a ‘sense of the credibility of the state apparatus, the quality of governance’ (Hrušk and Balík 2025: 242). Similarly, the Organisation for Economic Co-operation and Development (OECD) has described institutional trust as trust ‘in all types of institutions, with trust in political, law and order and non-governmental institutions’ (OECD 2017: 11). Grönlund and Setälä (2007) suggest that institutional trust is the belief that the institution will act consistently with citizen expectations, that is, in accordance with norms. This definition presupposes a consensus on norm standards or the rules on which the institution is based. To Hrušk and Balík (2025), this conceptualisation of trust has two aspects: the legal functions of the institution and its actual performance. The former is about agreement around the founding legal framework and the relevance of the institution in a democracy, and the latter relates to the institution’s actual performance or outputs, i.e. whether the institution acts in ways that are ethical, fair, and transparent.

In the context of electoral management bodies, institutional trust involves citizens’ confidence that the electoral management bodies (EMBs) have the capacity to execute elections in accordance with the electoral law. That is, EMBs must have the capacity to register voters within schedule, ensure adequate election material is available, open and close voting stations as per the electoral law, tally ballots accurately, and release results within a reasonable time (Norris 2022). The legitimacy of any democratic government rests on public confidence in the election process and the extent to which the process affords members of the public the opportunity to express their will. EMBs have an integral role in safeguarding the integrity of the election process by following the established legal frameworks (Campion and Jega 2023). How EMBs execute their responsibilities also affects public perception of elections, public views on the EMB’s integrity, and the public’s willingness to accept election outcomes (Campion and Jega 2023). As an institution of governance (López-Pintor 2000), EMBs are taken as the focus of the paper, which traces how EMBs’ public relations and administrations determine the levels of public trust, over and above the actual conduct of elections, be they free and fair or otherwise.

As detrimental as illegitimate elections are to democratic consolidation, perceptions of elections are equally damaging. Partisanship has been found to influence levels of political trust and perceptions about the EMB (Ward and Tavits 2019; McCarthy 2022). While this paper acknowledges the influence of partisanship on trust in the IEC, it does not see diminished trust and public scrutiny of the IEC in the 2024 general election as a function of partisanship. Rather, the paper attributes declined trust and negative public perceptions of the IEC to increased distrust in

government institutions, dissatisfaction with the quality of democracy, and IEC mistakes in the period leading to the 2024 elections.

This paper positions Botswana within the conversation of electoral integrity. It adds to a body of literature that has mainly focused on EMBs and the conduct of illegitimate elections, by exploring the less prominent element of gradual erosions of trust in the EMB, in a fairly democratic country. This is a necessary exploration, as it additionally situates election management within the conversation of democratic consolidation or backsliding.

### **Methodology and Paper Outline**

This paper situates the assessment of public trust in the IEC within the broader literature on institutional trust and electoral trust. It assesses Botswana's elections by focusing on recent developments that have contributed to an apparent loss of confidence in the IEC's ability to deliver quality elections. The research employed a qualitative research design and desktop research to analyse secondary sources of data, such as newspapers, Afrobarometer survey findings, and reports. Most of the newspapers and reports fell into a 2019–2024 timeline, due to the premise of the paper that events from 2019 to 2024 influenced the landscape in which the 2024 Botswana general election was held. Academic sources such as journal articles and books provided the theoretical base of the paper, namely electoral trust as a function of democratic practice.

The selection of the academic sources did not employ a time criterion, and attempted only to strike a balance between the classical sources on democracy and elections, and the more contemporary works. A strict selection process relied on reputable publishers, journals, and major news outlets with traceable editorial policies.

The paper's five sections start with a discussion of the theoretical importance of elections and trust in institutions as requirements for democracy. The following section focuses on the IEC and its electoral management functions, while the third section analyses the performance of the IEC in the 2024 elections. The fourth section discusses trust in public institutions, with a focus on the national intelligence agency, namely the Directorate of Intelligence and Security (DIS), courts of law, and the IEC, and this section weaves in the rise of *Madibelathopho*, an observer agent group of the Umbrella for Democratic Change (UDC) that arguably rose as a result of the distrust in the IEC. The paper concludes with reflections on the prospects for reform and on the overall implications of the performance and public image of the IEC on Botswana's democracy.

### **Elections and Trust in Institutions as Democratic Requirements**

Elections lie at the heart of any functioning democracy and Katz (1997) considers them the defining institutions of modern democracy. There are several functions of elections in modern democracies. Firstly, democratic theorists generally agree that elections are fundamental to the selection of governments and reaching several decisions in politics. In this way, Katz (1997) argues that in all modern democracies most public decisions most of the time are made by elected representatives. Thus, elections are the mechanism used for selecting candidates and filling public office in a representative democracy.

Secondly, democratic theory presupposes that elections make a political system democratic as a free and fair elections process legitimises a sitting government. According to Katz (1997), to confer legitimacy, elections must be consistent with the view of democracy adopted by those who accept the legitimacy of the system. Accordingly, elections and electoral outcomes must enjoy widespread acceptance by all stakeholders.

Moreover, democratic theory presupposes that citizens must have a clear choice between candidates and between policy positions. In this respect, democratic theorists argue that, without citizens having a real opportunity to choose, institutions of any democracy become mere window dressing for authoritarianism (Katz 1997). Involvement of citizens in the political process is one of the vital functions of elections, and electoral campaigns play a crucial role in fostering political education.

Moreover, citizens' confidence in the electoral process and in the EMB is crucial to ensure the legitimacy of outcomes. By implication, electoral trust enables the acceptance of results and peaceful transitions of power, confers legitimacy to the regime, and, most importantly, bolsters confidence in democratic institutions. However, the failure of democratic institutions to perform erodes citizens' trust, and they become disillusioned with political institutions. Scholars observe that distrust might herald a slide in the perceived legitimacy of existing government institutions (Easton 1965; Miller 1974).

Electoral trust is a function of public perception of the EMB's competence to execute credible elections that are consistent with the electoral law and meet the standards of democratic elections. According to Diamond (2007: 1), trust between citizens and their government officials and elected representatives is a vital element of a well-governed society. Trust links ordinary citizens to the institutions that are intended to represent them (Bianco 1994), thereby enhancing both the legitimacy and the effectiveness of democratic government.

In the African context, the idea of electoral trust is indeed central to the citizens' experiences of democracy in varying contexts on the continent. Akincho analysed Afrobarometer data and found that 'on average across 31 countries surveyed consistently since 2014/2015, the perception of elections as generally free and fair has declined from 64% to 58%' (2024: 4). Although 'perceptions that elections have been free and fair are far less common in Central and North Africa', the findings indicate that, in general, the trust element has been affected by some developments across the continent. In trying to explain Africans' loss of electoral trust, Aikins and Mahdi theorize that

This mistrust is deeply rooted in how election management bodies are constituted. Their appointment processes are often not consultative and largely exclude opposition parties and other stakeholders. For example, the bodies in Ghana, Nigeria, Liberia and Zimbabwe have been accused of being dominated by ruling party loyalists. Second, polls in Africa are undermined by weak transparency surrounding electoral processes. Electoral management bodies' inability to build consensus across political divides on key aspects such as timelines, campaign restrictions and party funding raises suspicion and mistrust. This is worsened by incumbents' control of these processes (Aikins and Mahdi 2024).

Indeed, the above is consistent with building electoral trust, as it relates to the function of EMBs and their responsibility to create public perceptions of fairness in their discharge of election management, over and above ensuring the practice of free and fair elections. Considering Africa's history with democracy, specifically the continent's battle when a superficial elevation of (flawed) elections is the only show of democratic practice, it is not surprising that, in the years of democratic dissatisfaction (Djilo and Handy 2024), citizens' perceptions that elections are free and fair have also waned. The factors that corrode electoral trust are explored below.

### *Factors That Impact Electoral Trust and Confidence in Electoral Management Bodies*

A myriad of factors influence electoral trust. The literature on electoral trust has focused on questions about vote tallying, counting, secrecy of the ballot, or voter confidence on 'whether the election outcome reflects the preferences that voters provide on ballots' (Kerr *et al.* 2024: 453). Others have focused on the procedural quality of elections, which is judged by the

extent to which the electoral process complied with international norms and standards (Norris 2014). Perceptions of electoral integrity are greatly conditioned by partisanship, which is specifically influenced by whether a party loses or wins. Election experiences, access to information, the performance of institutions related to electoral management and governance, elite cues, and other characteristics of the electoral environment also impact public perceptions about election integrity. Citizens' evaluations of electoral integrity and malpractices may be influenced by direct personal experiences on the polling day, such as polling station staff conduct, long queues, and names missing from the voter rolls (Kerr 2017; Norris *et al.* 2020). These experiences result in negative assessments of elections, and widespread perceptions of possible fraud, mismanagement, and manipulation. Similarly, based on their study of American elections, Bowler *et al.* observed that states that score high in the quality of election administration have a high perception of fairness: 'generally, people viewed elections as fairer where elections were conducted better' (2015: 8). Perceptions of electoral integrity are also greatly shaped by citizens' sources of information and by the information received by citizens from the media, party activists, and family (Kerr and Lührmann 2017).

Conspiratorial views increase the propensity to believe that elections are manipulated or stolen, and citizens are thus likely to interpret innocent mistakes as calculated moves meant to rig elections (Norris *et al.* 2020). Moreover, populist orientations also cloud public judgments about the integrity of electoral processes. Populist rhetoric increases negative perceptions about democracy and political institutions, and undermines experts' opinions about the quality of the democracy and electoral processes. Thus, the rise of populism could diminish public trust and confidence in the electoral process particularly among the less educated (Norris *et al.* 2020). Perceptions of election stakeholders, such as international observers and nonpartisan players in the electoral process, have an impact on public trust in elections (Bush and Prather 2017). Specifically, Kerr (2017) finds that, in new democracies, voter confidence in elections is boosted by the presence of and contact with objective international observers. In his evaluation of how experiences on the polling day influence public trust in the elections in Nigeria, Kerr (2017) notes that voters who saw international observers and domestic observers at their polling station had confidence about the integrity of national elections. In the same vein, courts also confer confidence in elections (Kerr and Wahman 2021). To Kerr and Wahman (2021: 9) 'voters may use court decisions as heuristic to determine the quality of elections'. Opposition and independent voters question the quality of elections when courts

nullify elections. They rate the quality low. However, in African context, courts have played a ‘less activist role in electoral politics’ (Kerr and Wahman 2021: 1). Other factors that impact public trust in elections are the mode of voting. In-person voting has a positive effect on public confidence in elections. Vliegthart *et al.* (2024) have investigated how traditional media and social media affect perceptions of electoral integrity in 25 countries. Vliegthart *et al.* (2024) argue that social media has a higher propensity to spread misconception about the integrity of elections than traditional media has. These scholars suggest that ‘trust in traditional media reduced misperceptions while trust in social media increased misperceptions’. Accordingly, exposure to and trust in social media is likely to increase misperceptions about an election’s integrity.

Other studies have shown how perceptions of election integrity are influenced by elites or politicians. For example, Clayton *et al.* (2021) concluded that claims of Trump’s election rigging severely impacted public trust and confidence in the elections.

Perceptions and opinions about politicians’ election integrity is therefore an important determinant of how people view elections. Crucially, institutions directly involved in electoral management and regulation influence public confidence in elections. The institutional independence of EMBs and of administrative electoral processes such as those relating to voter registration and the verification of election results have a bearing on public trust in electoral processes (Kerr *et al.* 2024). Mishler and Rose (2001) write that institutions that perform well generate trust; institutions that perform badly administratively generate scepticism and distrust. Diamond (2007) argues that distrust may produce alienation and withdrawal from the political process and, if it festers for very long, widespread and intense distrust may eventually generate a backlash against the political order.

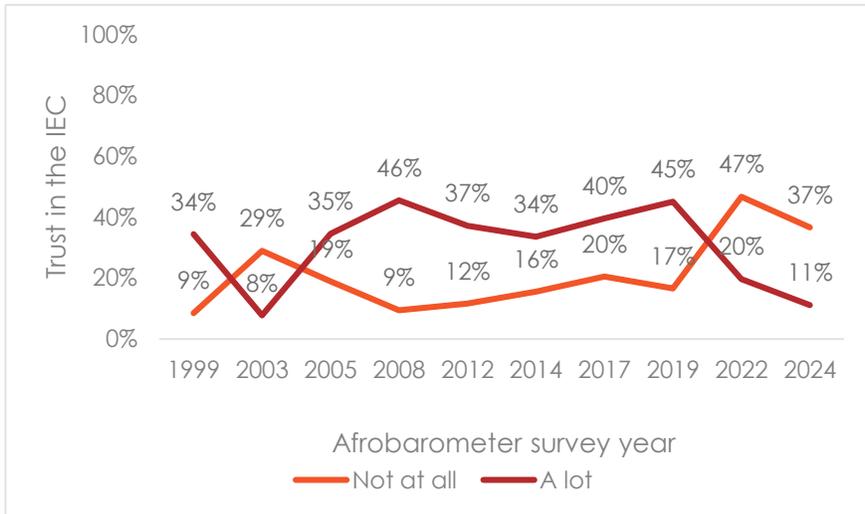
Taking these arguments as a point of departure, in this paper we raise and pursue two broad questions: What explains the heightened public surveillance and scrutiny of the IEC in the 2024 elections? What are the implications of the declining institutional trust in the IEC and the elections? We argue that a crisis of public trust in institutions, coupled with growing dissatisfaction about the quality of democracy in Botswana, contributed to increased and widespread cynicism about the integrity of the elections and, most importantly, generated negative perceptions about the IEC. Put differently, the IEC has been painted with the same brush as other state institutions whose integrity is questionable.

## **The IEC and Election Management**

Having shown the requirements for EMBs in their democratic creation and discharge of duty, it is important to contextualise Botswana and the experience of her IEC.

The IEC is mandated by the electoral act to preside over the conduct of elections in Botswana. The electoral act is a legal instrument that sets the parameters of the IEC's mandate to deliver local government and national assembly elections. The act also empowers the IEC to preside over the conduct of national referenda. More crucially, the act emphasises that the IEC must ensure that elections are conducted efficiently, properly, freely, and fairly. As part of the mandate, the IEC undertakes voter and civic education, budgeting, voter registration, accreditation of nominated observers, and counting and tabulation of results. Others have focused on the institutional independence of the IEC and its capacity to deliver free and fair elections (Lekorwe 2006; Mogalakwe 2015).

Prior to 1999, Botswana elections were supervised by the Office of the President. This arrangement raised concerns over the independence and integrity of the electoral process, given that the ruling party was also a player in the election process (Mogalakwe, 2015). These concerns prompted a reform of election management processes and resulted in the establishment of the Independent Electoral Commission. Since 1999, elections have been supervised by the IEC. While the IEC has been lauded for conducting free and fair elections, critics, particularly opposition parties, have raised concerns around the administrative and institutional independence of the IEC in Botswana. In terms of section 66(1) of the constitution, the executive secretary of the IEC is appointed by the president alone. Critics argue that such an arrangement could compromise the independence of the IEC. Concerns have also been raised around administrative independence, especially given that the IEC budget is subsumed under the Ministry for State President (Lekorwe 2006). Notwithstanding concerns about its independence, the IEC had, since its establishment, not been the subject of intense media and public scrutiny until 2015. By 2024, political developments had caused a decline in public trust in the IEC. An analysis of Afrobarometer survey data over time shows that the IEC has, since its establishment, recorded trust levels of below 50 per cent, as shown in Figure 1. More significantly, public trust on the IEC declined to approximately 11 per cent in 2024. The factors that account for this decline are varied and discussed further below.



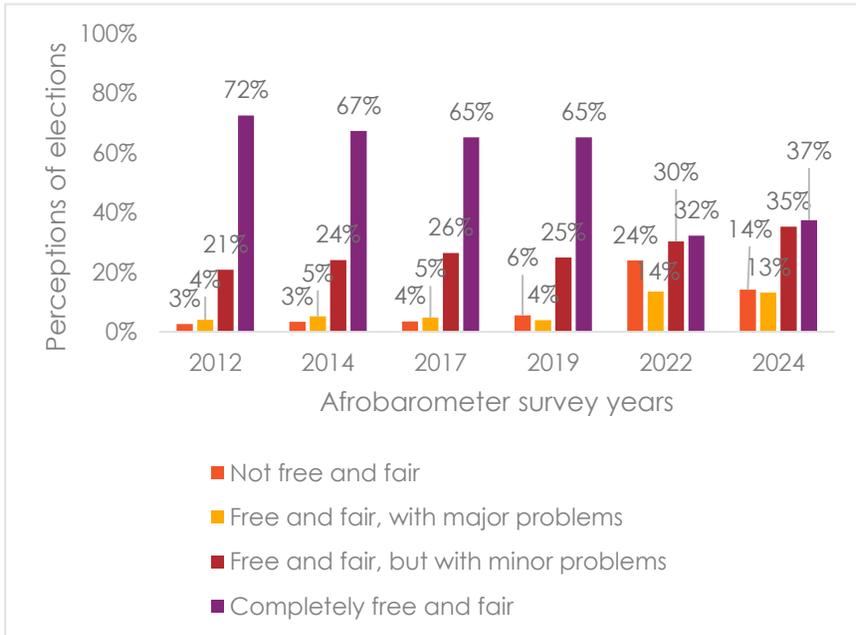
**Figure 1: Trust in the Independent Electoral Commission | Botswana | 1999–2024**

**In the Afrobarometer survey, respondents were asked:** How much do you trust the Independent Electoral Commission, or haven't you heard enough about it to answer?

The graph excludes the lines of those who were in between; trust a little; and trust somewhat.

In the period 2016 to 2018, the IEC motivated use of electronic voting machines (EVMs), supposedly to improve the efficiency of Botswana's electoral processes. The parliament, which was dominated by the Botswana Democratic Party (BDP), passed an electoral amendment bill to allow for the use of EVMs. The electoral amendment act of 2016 provided for a 'voting procedure using a voting machine' (*Electoral (Amendment) Act 2016*). The electoral reform sparked controversy and mixed reactions from stakeholders. On the one hand, the proposed reform was supported by the then ruling BDP while, on the other hand, the opposition and civil society saw the move as the intention to rig elections by the ruling party (Ramaphane 2017). At the height of the controversy, the opposition Botswana Congress Party (BCP) lodged a case with the High Court opposing the planned use of EVMs in the 2019 elections. However, in 2018, the amendment act was repealed, arguably in response to public rejection of the act. The then President Masisi indicated that he was uncomfortable with the use of EVMs because of what he deemed as a lack of adequate consultations (Online Editor 2018). Following the repeal, the BCP withdrew the court case.

Indeed, the late 2010s marked a decline of trust in the IEC, as Botswana’s ratings of the freeness and fairness of elections grew increasingly negative, post the EVM saga. Figure 2 shows that the proportion of citizens rating the elections as completely free and fair reduced substantially after 2019 (65% to 37%), alongside an increase (6% to 14%) of those who said elections were not free and fair.



**Figure 2: Freeness and Fairness of last election | Botswana | 2012–2024**  
**In the Afrobarometer survey, respondents were asked:** On the whole, how would you rate the freeness and fairness of the last national election, held in [year]?

The proposed use of EVM was not the only factor affecting public trust in government institutions and elections. Another factor was Botswana society’s growing scepticism and negative perceptions about DIS. Since its establishment in 2008, DIS has been seen as a rogue, coercive instrument, which the ruling party willingly deployed for its underhanded activities, such as harassment of opponents and covert negative propaganda operations. This institution has been embroiled in allegations of illegal phone tapping, torture, etc. (*Mmegi* 2008; Molapong 2023). The mistrust in DIS has been exacerbated by turf wars between DIS and other government institutions; among other things, the Directorate has

been accused of also interfering with the mandate of the Directorate on Corruption and Economic Crime, the country's corruption busting agency, to serve its own rogue interests (Chida 2022). As a result, there has been a perception that DIS could have been deployed to manipulate elections in favour of the then ruling party. During the 2019 general election campaigns, the UDC claimed that the elections would be rigged. These allegations gained traction when the UDC lost elections in their traditional strongholds and disputed the outcome in the courts (Reuters 2019). Although the court quashed the case (*Mmegi* 2020), the UDC maintained that it had concrete evidence that the elections had been rigged. In 2019, the twelfth elections produced more contestations than any other elections the country has had, to date. Allegations of rigging gained credence in 2020 when a company called the World of Oak alleged that it was commissioned by DIS to carry out a covert operation in the electoral process. However, the nature of the job was never publicly disclosed and DIS did not confirm that it had engaged in any election-related business with the company (*The Botswana Gazette* 2020). These allegations were not confirmed or denied by the government. In 2024, the UDC wrote to the IEC seeking clarification on whether DIS has access to the IEC data on registration (Kaelo 2024).

In its elections report for the 2019 general polls, the IEC itself reported that

Election petitions are a fundamental part of the electoral process. The electoral law permits petitioners to complain of an alleged undue return of a result that may be due to irregularities, disqualification, corrupt or illegal practices ... After the 2019 General Elections, Sixteen (16) election petitions were lodged with the High Court ... In all these petitions, the IEC was cited as the first respondent while the winners were cited as second respondents. The High Court constituted four panels of Judges to which the petitions were distributed for determination in accordance with Section 121 of the Act. However, two petitions were withdrawn before hearing by the High Court (IEC 2020).

In light of these developments around the IEC and election stakeholders in 2019, the 2024 elections saw heightened scrutiny of and attacks on the IEC that made apparent the opposition political parties' mistrust of the IEC. Speculations about the integrity of the 2024 elections were so rife that the UDC established a UDC pressure group, known as *Madibelathopho*, to strictly oversee the elections throughout the election cycle in order to ensure that all irregularities and misconduct would be

detected. To this end, the group, reporting directly to the president of the UDC, was to observe registration and scrutinise the resultant voters roll. In the period leading up to the elections, the group conducted training workshops in constituencies to sensitise members about their responsibilities, the electoral law and their rights (Selatlhwa 2024). The *Madibelathopho* served as party agents on polling day. The group has a dedicated Facebook page where all incidents and information regarding elections were shared.

Unlike the 2019 petitions that contested irregularities post elections, the 2024 petitions preceded elections. The back and forth between the EMB and political parties went on to include court cases between the IEC and opposition parties, namely the UDC and the BCP, over observation of voter registration and the publication of voters rolls online. In addition to court cases, questions were raised about the IEC's benchmarking visit to Zimbabwe's Electoral Commission.

### **The Performance of the IEC in the 2024 Elections**

#### *The IEC and Political Parties: A Tale of Court Cases*

The uneasy relationship between the IEC and electoral stakeholders manifested as early as the 2024 pre-electoral phase. Voter registration for the 2024 elections was scheduled for 1–30 November 2023. However, in an unprecedented development, the opposition coalition party UDC requested permission from the IEC to have their agents popularly referred to as '*Madibelathopho*' observe voter registration at polling stations. The electoral body opposed the UDC's demands on the grounds that observation of registration by party agents was not provided for in the law. The UDC filed an urgent court application to compel IEC to allow observation of voter registration. On 31 October, the day before registration was due to begin, the court granted the UDC an interim order *rule in nisi* to observe voter registration (*Mmegi* 2023). In the interim judgement, the court argued that granting the UDC the right to observe is in accordance with section 65A(12) of the constitution of Botswana, which states that the IEC has to ensure that elections are conducted efficiently and properly, freely and fairly (*Mmegi* 2023). From the perspective of the court, party observation of registration could enhance the freeness and fairness of Botswana elections. However, this decision was later overturned by a panel of three judges during substantive judgement on the grounds that the electoral act does not award political parties the right to observe voter registration (*Daily News* 2023).

This court case disrupted the IEC schedule, thus resulting in the postponement of registration. During the case, the UDC argued that their demands to observe registration were in order to avoid possible rigging by the IEC (*Guardian & Sun* 2023) and manipulation of the voting process in ways that could taint the elections.

This demand should be understood in the context of the post-2019 election disputes discussed above, in which the UDC had unsuccessfully challenged the IEC by alleging irregularities in the election process that affected the results. However, the court had rejected the petitions and had thus essentially confirmed the credibility of the 2019 elections. Notwithstanding this defeat in court, from the beginning of the 2024 election campaign, the UDC had openly shared concerns that the elections could be rigged by the ruling party with the assistance of the IEC. In light of these concerns, the UDC believed that observing voter registration would reduce the likelihood of rigging. These allegations essentially cast doubt on the operational and institutional independence of the IEC from the ruling party and government.

Indeed, opposition parties have argued that the way in which the secretary-general of the commission is appointed could compromise the institutional independence of the IEC. Opposition parties have relentlessly called for reform of the IEC; such a demand is that the secretary-general is appointed by Parliament as is the case in other democracies. Proponents argue that this could enhance institutional autonomy and enhance public and stakeholder confidence in the IEC.

Processes related to voter registration contribute to quality elections, and ensure the inclusiveness and transparency of the electoral process. However, procedures related to voter registration are conducted prior to the arrival of international observers and are therefore exempted from the oversight and scrutiny of observers. Thus, the observation of voter registration by local party agents presented an opportunity to safeguard the integrity of the voter registration process, ensure transparency, and, most importantly, remove suspicions of irregularities. The ACE Electoral Knowledge Network agrees that ‘it is important to allow interested organizations, including political parties, civil society and international non-governmental and governmental organizations, to be accredited to observe the voter registration, polling and counting processes (ACE Electoral Knowledge Network n.d.). Given that some stakeholders had already hinted at possible electoral fraud, observation of voter registration would have enhanced the credibility of the process. The credibility of the IEC’s commitment to transparency was further harmed by its failure to avail a soft copy of the voters roll, which resulted in another court case.

*The Digital Voters Roll and the Ballot Box Court Cases*

The integrity of the IEC came into question in relation to the publication of a digital voters roll and the transportation of ballot boxes. It suffices to note that, while the electoral law does not provide for party agents to observe voter registration, it does provide for political parties, candidates and members of the public to verify the consolidated voters roll post-registration. This process allows stakeholders to satisfy themselves that the process has not been tainted by fraudulent activities such as voter trafficking. The voters roll was physically accessible at IEC offices and the District Commissioner's office for physical inspection. While this was one way of promoting transparency, it was hardly efficient given the sheer size of the voters roll. For this reason, the UDC had requested the IEC to publish soft copy of the voters roll.

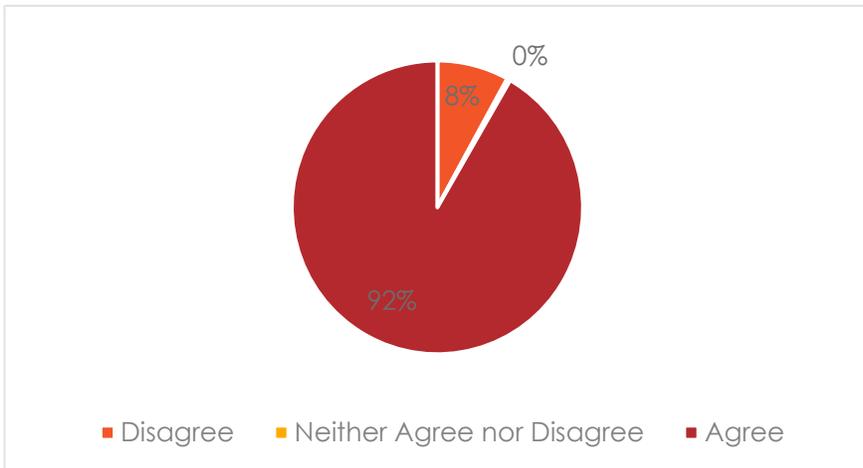
In September, a seemingly official 2024 digital voters roll was shared on social media platforms amidst the back and forth between the IEC and opposition parties. Despite the IEC having distanced itself from the digital roll, both the UDC and BCP argued that they observed incidents of duplicate registration. On these grounds, the UDC and BCP opposition parties demanded that the IEC publish an official digital voters roll. On 25 and 27 October, the BCP made an urgent application to the court, seeking an order to compel the IEC to avail a digital copy of the voters roll for the national poll scheduled to take place on the 30 October 2024 (*Mmegi* 2024a). A digital copy would, as the BCP argued, expedite the audit of the voters roll. Notably, the IEC had provided a digital voters roll in the 2019 elections and therefore what the opposition parties were seeking was not entirely novel. In fact, the court expressed frustration that the IEC sought to deviate from this precedent (*Mmegi* 2024b). In addition, opposition parties were demanding that the court orders the IEC to allow party agents to escort ballot boxes during their transportation to counting centres, and to seal ballot boxes with their seals in terms of Section 67 of the Electoral Act (Republic of Botswana 1968), to ensure transparency.

These legal demands for strict measures to protect the votes were unprecedented in Botswana elections. These demands underscored the critical importance of transparency and fairness in the electoral process and, crucially, raised doubt about the adequacy of IEC processes and laws in promoting such, particularly in the era of increased digitalisation. Escorting ballot boxes would reduce concerns about their security and deflect fears of ballot stuffing. Throughout its legal tussles with political parties, the IEC maintained that the demands made by political parties were not provided for in the electoral law, thus reigniting a prior conversation on the need for reform of Botswana's electoral framework.

The demands made by opposition parties not only were demands for transparency in the electoral process, but were also indicative of their decreased trust and confidence in the integrity of the IEC. Indeed, prior concerns had been raised on the transparency of the electoral process in the past. Specifically, although the 2019 elections were declared credible, the Southern African Development Community (SADC) election observation missions noted with concern that the counting of ballots was not done at polling stations. The 2019 preliminary statement by the SADC Electoral Observation Mission recommended that ‘consideration should be given to amending the Electoral Act to make provision for polling station-based counting and displaying of results at the polling station’ (Moyo 2019: 11). In addition, during the 2019 post-election disputes, the UDC had hinted at discrepancies during the 2019 general election between the ‘master roll’ and a certified voters roll. Although these claims were not proven during the court case, they contributed to negative perceptions about the IEC (*The Botswana Guardian* 2023).

The credibility of an election is greatly affected by how the EMB is perceived, and these perceptions are based on the EMB’s observable competency and transparency in its managerial functions. The integrity of an election rests on public perception of processes as fair and accurate, and on the extent to which the voters were able to express a choice in the ballot (Lundmark *et al.* 2020). This is as much a function of electoral laws as it is of public trust in the election management body. To build credibility and public trust, an EMB should seek to detect and respond to problems promptly (Kotzé 2023).

Indeed, as it relates to the SADC recommendation to count ballots at polling stations, Botswana expressed a preference for the law to be changed to allow for counting at polling stations. In the Afrobarometer survey of 2024, a question was asked to that effect, in part as a result of how topical the issue was in the broader electoral conversations and controversies of that time; the matter had even been discussed in Parliament when the opposition BCP tabled a bill to that effect (Bogaisang 2024). Although the bill to reform the law in this regard failed to pass in Parliament, the reform enjoyed overwhelming public support. Figure 3 shows the same.



**Figure 3: Counting of ballots at polling station | Botswana | 2024**

**Respondents were asked:** Please tell me whether you disagree or agree, or have you not heard enough to say? In order to improve transparency, the counting of votes during elections should be done at the polling stations.

In 2024, the heightened concerns of possible manipulation of the elections were underscored in February 2024 when the IEC undertook a benchmarking exercise in Zimbabwe to look into the accreditation machine for election observers that the Zimbabwe Electoral Commission uses to process accreditation cards for election observers (*Daily News* 2024). This benchmarking was legitimised as part of the technology, knowledge, and skills exchange under the Electoral Commissions Forum of SADC (ECF–SADC). Benchmarking in Zimbabwe exacerbated the speculations that the IEC would work with the Zimbabwe Electoral Commission (ZEC) to manipulate election results. The ZEC is notorious for controversies that have often devolved into accusations of election fraud based on the occurrence of major issues that undermine the credibility of elections, such as delays in the declaration of results, shortage of ballots, and manipulation of the voters roll (Hove and Harris 2015). The benchmarking in Zimbabwe legitimised fears about possible rigging and aggravated concerns that the IEC was not independent and that the benchmarking exercise was on instruction from the government. The speculation gained public traction to the effect that the UDC and other political parties marched to the Embassy of Zimbabwe in Botswana to petition the Zimbabwe government against the possible interference by the Zimbabwe African National Union – Patriotic Front (ZANU–PF) in Botswana elections. The march was, however, interrupted by the police (Dube 2024). Institutional trust rests on

transparency. In this instance the public would not have speculated on the motives of the visit had the electoral body openly communicated the rationale for benchmarking in Zimbabwe. As Hardin notes ‘trust presupposes that the truster (in this case, a citizen) knows the interests and motivations behind the behavior of the trusted (in this case, a particular political institution)’ (cited in Hrušk & Balík 2025: 244).

### *The Advanced Poll and National Poll Saga*

Speculations and questions about the integrity of an electoral body are shaped by the way in which it discharges its functions. The IEC held Botswana’s advanced poll on the 19 October, two weeks before the national poll, as prescribed by law. The advanced poll was meant to enable staff that were to be working on voting day, such as police officers and election officers, to vote. Twelve thousand public servants were expected to vote on this date. Batswana in diaspora also cast their votes on this day. Following the developments throughout the year, regarding the IEC and opposition parties, the advanced poll was the IEC’s chance to restore trust and allay some of the fears of parties and voters.

However, the IEC experienced a shortage of ballot papers in Botswana. In addition, the diaspora vote was also disrupted as 10 out of 51 polling stations experienced ballot-paper shortages. The task of delivering the national elections in diaspora in 2024 was further complicated by the introduction of the local government (councillor) ballot for diaspora votes.

The IEC explained the shortage of ballot papers, locally, to be a result of the large voter turnout, which the IEC had not anticipated. In three locations, Kanye, Tati West, and Thamaga, elections could not be held due to irregularities such as a mix up of ballot papers and the omission of a candidate from the ballot paper (Dube 2024). Although the IEC took measures to accord those who had been disadvantaged a chance to vote, the mishaps risked the legitimacy of elections in an already tense landscape and relationship. The administrative failures of the advance voting significantly impacted stakeholder confidence in the IEC preparedness for the 2024 general election. The UDC and BCP strongly condemned the shortage of ballot boxes, which denied some people the right to vote. Some candidates even threatened the IEC with court action. Opposition political parties speculated that the shortage of ballot papers was an attempt to deny public servants the right to vote (Dube 2024). The ruling party simply expressed concern about the challenges experienced during the advanced polls and encouraged the IEC to provide adequate election material during the national poll (Sennamose 2024).

The problems encountered with advanced polls, however, were not entirely administrative lapses on the part of the IEC. Civil society organizations attributed the problem to a lack of sufficient time to prepare for the elections. The nomination of candidates was held on 4 October (two weeks before the advanced poll), which did not give the IEC sufficient time to print ballot papers. The parliament was only dissolved in September, which was slightly late when compared to previous elections. This delayed planning for activities that are dependent on the dissolution of Parliament and the declaration of the writ of election. The late announcement of the elections and the legal uncertainty around the date of the elections meant that the IEC could not plan with certainty.

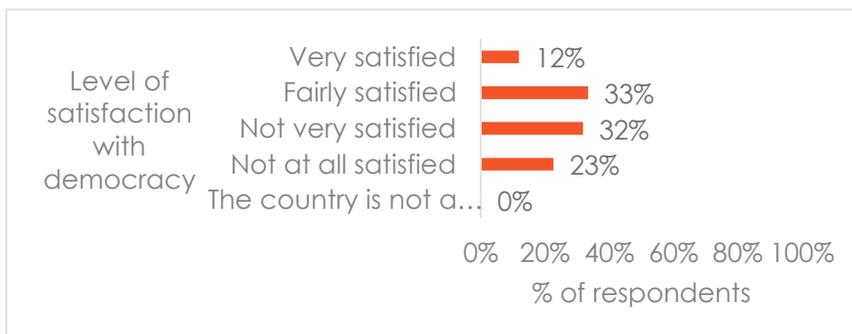
Managing elections involves extensive collaboration and consultation with a wide range of national electoral stakeholders before the election period. This cultivates trust and confidence in the EMB as an institution (Campion and Jega 2023). However, dialogue and continuous stakeholder engagement was lacking in the 2024 Botswana elections. For example, the Ministry for State President did not constitute an All-Party Conference (APC) in the months leading up to the elections, despite calls from opposition parties for the same (Pheko 2023). The APC meetings would have been pivotal, given that the stakes were high in these elections. Partly because of the absence of the conference, problems over minor electoral processes escalated. Much more could have been made of the APC, to reach consensus on several issues such as those dealing with access to the voters roll. The lack of a platform for discussing issues of national interest like elections meant that the only available avenue for political parties was litigation, which greatly impacts a sensitive process such as elections.

The IEC expressed frustration at the legal battles. During an interview on one of the public radio stations, the IEC spokesperson noted that it was important for political parties to reform the electoral law to address their concerns. Opposition parties had been calling for a reform of electoral laws for a long time. In 2009, the government rejected a proposal to codify the election date. In 2024 a motion by opposition MPs to review the electoral act to allow for counting ballot boxes at polling stations and to fix the elections was rejected by the parliament (Bogaisang 2024). Opposition parties have also proposed that the counting of diaspora votes should be done immediately in polling stations to enhance transparency and minimise electoral fraud.

### Peripheral Democratic Issues: Eroding Trust in Government Institutions

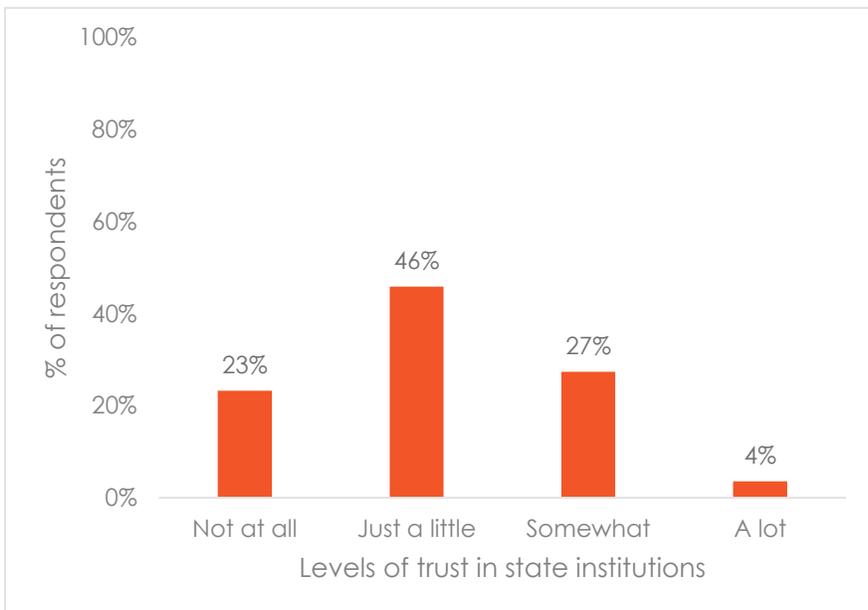
The tug of war between the EMB and opposition parties, when compounded with peripheral democratic issues, might have led to the heightened scepticism about possible fraud in the 2024 general election. The peripheral issues included perceptions of increasing corruption and general dissatisfaction with the governance framework of the country.

The then President Masisi’s government was wrought with corruption scandals and dubious tender awards (Oxford Analytica 2021; Mathala 2022). There was a widely held view that, in the period leading up to the elections, the BDP government was using government procurement and senior positions to reward party loyalists. The former Minister of Finance and Development Thapelo Matsheka noted that substantial public funds are lost through corruption, and he decried the lack of commitment to addressing corruption (Matsheka 2024). In addition to pervasive corruption, the government struggled to provide basic services such as health. This was a damning indictment on the government and contributed to eroding public confidence and trust in the government. According to Isbell and Seabo (2020), there was a growing perception that corruption is on the rise in Botswana and that some fundamental aspects of democracy, such as the independence of the judiciary, are under threat. In what reflects recent concerns about eroding democracy, more than 50 per cent of respondents in the 2024 Afrobarometer survey indicated dissatisfaction with democracy in Botswana as shown in Figure 4 (Gaobolae *et al.* 2025). Thus, these negative perceptions of the quality of democracy and the deficit trust in the government made it difficult for the IEC to diffuse allegations of possible rigging, despite its independence of the government.



**Figure 4: Satisfaction with democracy | Botswana | 2024**  
In the Afrobarometer survey, respondents were asked: Overall, how satisfied are you with the way democracy works in Botswana?

Indeed, the levels of dissatisfaction with the quality of democracy can be a legitimate outcome of decreased institutional trust in the governance landscape. Over and above not trusting the IEC, due to the controversies spanning back to the 2019 elections, Botswana were not trusting of any of the other related institutions. In 2024 when trust levels in the IEC were at their lowest (Figure 1), Botswana were not positive about Botswana’s democratic institutions in general. When the trust element is combined for the IEC, the police, the army, courts of law, and the Ministry of Health, the 2024 Afrobarometer survey data show minimal trust in state institutions (Figure 5).



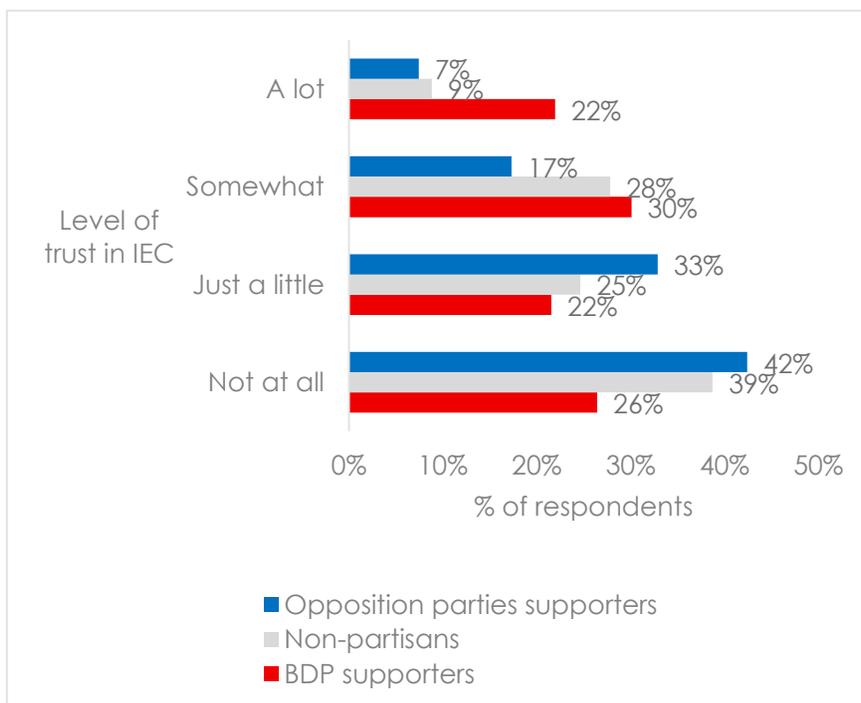
**Figure 5: Combined trust in IEC, police, army, courts, and health ministry | Botswana | 2024**

**In the Afrobarometer survey, respondents were asked:** How much do you trust the (Independent Electoral Commission, The Police, The Courts of Law, The Army, The Ministry of Health), or haven’t you heard enough about it to answer?

The graph is based on combined data for each institution in the 2024 survey.

From the above, it is clear that although the IEC failed in its public relations, leading to a host of controversies that evoked scrutiny and mistrust, Botswana were mistrusting of the entirety of BDP governance by 2024. There is little to support the claim that the IEC inherited the loss of trust. However, the outcomes of the lack of trust, such as the creation of

*Madibelathopho*, can reasonably be tied to the citizens (especially opposition sympathizers) feeling a need for self-reliance, over and above their guaranteed protection by institutions such as the courts of law. Indeed, Afrobarometer data show that the supporters of opposition parties had the least trust in the IEC (Figure 6). Although this was to be expected based on the 2019 general election outcome and the insistence by opposition parties that the elections were rigged, the medium-trust level of non-partisans and BDP supporters points to some administrative lapses by the IEC, including in public relations and accountability.



**Figure 6: Trust in IEC by the party the respondent feels close to | Botswana | 2024**

**In the Afrobarometer survey, respondents were asked:** How much do you trust the Independent Electoral Commission, or haven't you heard enough about it to answer? **The data are crossed by the responses to the question:** Which party do you feel close to?

Opposition parties supporters are a sum of respondents who indicated a closeness to any party that is not the BDP. Non-partisans are respondents that either said they don't know which party they feel close to or said none.

## **Conclusion**

The way the public and political parties interacted with the IEC after the 2019 general election in Botswana seemingly attracted a lot of scrutiny of the IEC for the 2024 election cycle. However, the levels of minimal trust in the IEC were not unique to the IEC, as trust in other institutions of government was also weak and the perceptions of the quality of democracy were negative.

Public trust and confidence in EMBs may be affected by administrative processes but may also be a function of external factors such as general dissatisfaction with democracy and erosion of trust in other institutions (Kotzé 2023). In the case of Botswana, a general dissatisfaction with the quality of democracy seems to have been a contributory factor for the heightened scrutiny of the IEC. UDC claims about fraud could easily have been dismissed as mere disinformation or misinformation; however, they gained traction, and evoked panic and scrutiny as other opposition parties also showed concerns about the integrity of the election process. On election day, reflecting concerns about the elections, members of the public at different polling stations used social media to share their experiences, such as late opening of polling stations, lack of lighting, etc.

In a study of EMBs in Africa in the context of democracy regression in the continent, ‘there is no overall pattern of commensurate decline in the performance of African EMBs (Campion and Jega 2023). It is argued that there is a wide variation in the performance of EMBs in Africa. For example, the Zambian EMBs were able to preside over elections in 2021, and the integrity and outcome of the elections were accepted despite a decline in democracy in the country. However, EMBs’ integrity is not only affected by backsliding but may also be affected by a lack of political consensus on electoral processes (Kotzé 2023). For example, Kotzé (2023) observes that, in South Africa, despite declined public trust in government institutions (including the IEC), the IEC nevertheless enjoys relatively high levels of trust compared to other institutions. Kotzé (2023) concludes that trust in the IEC in South Africa tends to be determined by the trust in general institutions; a decline in trust in public institutions also results in a decrease in trust in the IEC. However, the IEC remains one of the most trusted institutions. The public’s general perception of the IEC and other institutions is also affected by the levels of satisfaction with democracy. To Grande and Saldivia Gonzatti ‘the lack of trust in political institutions clearly goes along with strong perceptions of a “democratic deficit”’ (2025: 2001). Sceptical evaluation of the Botswana IEC despite a history of quality elections was thus partly a spillover effect. That is an additional outcome of the growing distrust in political institutions. In Botswana, the

trust deficit was substantially compounded by the lack of constructive stakeholder engagement to resolve concerns.

Rhetoric and populist statements made by the president of the UDC overshadowed experts' opinions about electoral quality in past elections, particularly among the less educated who are also dependent on social media for news (Vliegthart *et al.* 2024). Elites have the potential to promote support for democratic norms and respect for electoral laws and outcomes (Clayton *et al.* 2021). Similarly, a disregard of these is likely to spill over to ordinary citizens. Notably, the heightened concerns about possible manipulation of votes are at odds with the findings of the IEC study on voter apathy of 2022 which found that a significant number expressed confidence in the IEC's ability to maintain the secrecy of the ballot and count ballots accurately. Although it is not clear how much the UDC president's remarks about IEC bias and potential rigging in the 2024 elections shaped public perception about the IEC, particularly among partisans, the 2024 Afrobarometer survey results showed increased distrust in the IEC. Considering this, it could be argued that the eroded trust was as much a result of rigging claims as it was of growing dissatisfaction with the quality of democracy. Lapses in the handling of the early poll, such as the shortage of ballot boxes which resulted in some people not voting, further exacerbated negative perception about the IEC in the 2024 elections, and constructed the IEC as incompetent despite its history of delivering free elections. The notion of trust nuances competence and expertise but financial resources also affect competence and expertise. The IEC has repeatedly expressed frustration at budgetary constraints to effectively deliver its mandate (*The Patriot* 2021).

In conclusion, electoral reforms to guarantee independence of the IEC are necessary to improve the credibility of elections. Reforms should also improve the transparency of electoral processes, such as voter registration and the handling of ballot boxes, to address concerns about transparency in voter registration and the exclusion of party agents during the transportation of ballot boxes to counting centres. The SEOM's preliminary statement on the 2024 elections raises concerns about the lack of transparency in relation to the transportation of ballot boxes from polling stations to counting centres and it challenges the use of solid non-transparent ballot boxes, as some of the things that could have compromised transparency in the 2024 Botswana elections (Pinda 2024). The SEOM recommended that counting should occur at polling stations and that transparent ballot boxes should be used. Increased stakeholder engagement, public communication, and early detection of problems would also enhance public trust in the IEC. An electoral process riddled with problems and errors inspires little public confidence and is vulnerable

to legal challenges. Thus, irregularities, intended or unintended, could weaken the integrity of an election.

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