

Strengthening Electoral Management Bodies: A Structural Solution to Electoral Conflicts in Africa

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ABSTRACT: Electoral Management Bodies (EMBs) across Africa continue to preside over elections that end not in the peaceful transfer of power but in contested results, street protest, and, in the worst cases, bloodshed. This persistence is puzzling given three decades of legal reform: constitutions have been rewritten, commissions declared independent, and dispute-resolution tribunals established, yet electoral violence recurs. This paper argues that the gap between legal design and lived outcome lies less in statute than in operational capacity — the logistical readiness, professional culture, and political insulation that determine whether an EMB can act on its mandate when it matters most. Drawing on a comparative qualitative reading of EMB performance across Kenya, Nigeria, Ghana, South Africa, Zimbabwe, Zambia, Uganda, Mozambique, and the Democratic Republic of Congo, together with commission-of-inquiry reports, observer-mission assessments, and primary institutional sources, the paper distinguishes formally independent commissions from hybrid bodies that remain administratively or politically tethered to the executive or to contesting parties, and traces how that structural distinction interacts with operational mechanisms — conflict early warning, security-agency collaboration, logistics, and internal professional culture — to shape conflict outcomes. It finds that funding shortfalls, politicized or party-apportioned appointments, and weak dispute-resolution mechanisms erode EMB credibility even where independence is constitutionally guaranteed, and it closes with reform proposals tailored to the specific institutional failure each case demonstrates, alongside a proposed shift in how regional and continental bodies monitor EMB health. Institutional resilience, the paper concludes, is built one closed structural gap at a time, not declared into existence by a single constitutional clause.

KEYWORDS: *Electoral Management Bodies, electoral conflict, institutional independence, democratic governance, Africa*

I. INTRODUCTION

Elections are the cornerstone of democratic governance, yet in many African countries, they have been recurrent flashpoints for political violence and instability. At the heart of these processes lie Electoral Management Bodies (EMBs), whose performance often determines not just the credibility of an election but the broader legitimacy of democratic institutions. While the legal and procedural frameworks underpinning elections have received considerable scholarly attention, it is the operational and institutional robustness of EMBs that increasingly shapes electoral outcomes. These bodies serve as the linchpin between the technical administration of elections and the political context in which they occur.

The dual challenge facing EMBs in Africa is both institutional and contextual. On one hand, many EMBs lack the autonomy, funding, and professional capacity needed to function independently of political interests. On the other hand, the environments in which they operate are often marred by executive overreach, weak rule of law, and high-stakes competition, which makes impartial administration a formidable task. As Omotola (2021) argues, these structural deficits erode public confidence and reduce the effectiveness of electoral governance. Therefore, a comprehensive understanding of EMB performance must move beyond legal compliance to incorporate logistical readiness, political neutrality, and administrative professionalism.

Electoral Management Body (EMB) register voters, print and distribute ballots, tally results, and, increasingly, adjudicate the disputes that arise when a losing side refuses to accept the count. Their performance shapes not merely whether an election is technically correct but whether its outcome is believed, and this distinction matters more than the legal literature on electoral administration has generally allowed. Since the early 1990s, most African states have written EMB independence into their constitutions or electoral acts, and on paper the continent's commissions increasingly resemble those of long-established democracies (Bratton & van de Walle, 1997). Yet the 2023 Economist Intelligence Unit Democracy Index recorded the lowest global democracy score since the index began in 2006, a decline driven in part by a wave of coups and contested elections across sub-Saharan Africa (Economist Intelligence Unit, 2024), and Freedom House has documented a parallel rise in irregular seizures of power by military and executive actors across the region (Freedom House,

2023). Legal independence, in other words, has not been sufficient to prevent the outcomes it was written to prevent.

This paper argues that the shortfall sits in a gap the legal literature has been slow to name: the distance between an EMB's formal mandate and its operational capacity to exercise it. A commission can be independent on paper and still lack the funding to print enough ballots on time, the staffing to run a credible dispute tribunal, or the political insulation to resist a government that controls its budget. Where this gap is wide, elections do not fail because the law was silent; they fail because the institution charged with applying the law could not, in practice, do so. Three dimensions of this operational gap organize the analysis that follows: the structural independence of EMBs from the governments that fund and often help appoint them; their logistical and administrative capacity to execute an election under pressure; and the strength, or absence, of the mechanisms through which they resolve disputes before those disputes escalate into the streets.

The argument is developed against a body of scholarship that has tended to treat EMB independence as a legal-design question rather than an operational one. Cheeseman and Fisher (2019) trace how ruling parties across the continent have learned to capture electoral institutions without formally violating their independence, while Hartmann (2021) shows that even commissions with strong constitutional protection often operate inside political environments that make impartial administration a practical impossibility rather than a legal failing. Van Ham and Garnett (2019) extend this point by documenting the conditions under which EMBs move from routine administration into crisis, and it is this operational threshold, rather than the constitutional text alone, that the present paper treats as the more useful unit of analysis. The distinction is not merely academic: a reform agenda built only around statutory independence will miss the funding shortfalls, staffing gaps, and procedural weaknesses that determine whether independence, once granted, can actually be exercised.

II. METHODOLOGY

The paper adopts a comparative qualitative case-study design, examining EMB performance in Kenya, Nigeria, Ghana, South Africa, Zimbabwe, Zambia, Uganda, Mozambique, and the Democratic Republic of Congo. Cases were selected to span the continuum from constitutionally independent commissions to hybrid or party-apportioned bodies, so that the structural variable at the center of the argument — independence versus hybridity — can be observed against varying conflict outcomes. Evidence is drawn from three source types: primary institutional material, including commission-of-inquiry reports, EMB constitutive statutes, and electoral commission websites; assessments produced by international and regional observer missions and human-rights organizations; and the peer-reviewed comparative-politics literature on electoral administration in Africa. Each claim drawn from a secondary or observer source was checked against the underlying report where that report is publicly accessible, and claims that could not be independently verified in this process are flagged rather than presented as settled, consistent with the paper's broader commitment to calibrated, source-traceable argument over narrative convenience. Two attributions present in an earlier draft of this paper — direct quotations attached to named Zimbabwean and Kenyan electoral officials — could not be independently verified against any locatable source and have accordingly been removed from the discussion of Zimbabwe and Kenya later in the paper; where the underlying claim remained defensible, it has been retained and re-grounded in a verifiable citation instead.

III. ELECTORAL MANAGEMENT BODIES: STRUCTURES AND MANDATES

Africa's electoral management bodies (EMBs) are essential to ensure the integrity and accountability of electoral processes across countries. These institutions are tasked with monitoring elections, managing voter registration, and ensuring compliance with electoral laws. The structure and role of EMBs vary across African countries, influenced by history, politics, and culture. Understanding these differences is important to analyze their effectiveness in promoting democratic governance and reducing electoral conflict. African EMB models are broadly seen to be either independent commissions or take hybrid models.

3.1 The Mozambican Baseline: A Commission Built from Its Own Contestants

Mozambique's National Election Commission (CNE, from its Portuguese name, Comissão Nacional de Eleições) is not, on close inspection, the kind of body its English translation suggests. Its seventeen to nineteen seats are apportioned by parliamentary strength: roughly half go to representatives nominated directly by the parties sitting in the Assembly, with FRELIMO and RENAMO each claiming a bloc, a smaller allocation to the Mozambique Democratic Movement, and the remainder drawn from civil society organizations whose own nominations pass through party screening before they reach the floor (International IDEA, 2020; Electoral Commissions Forum of SADC Countries, n.d.). Day-to-day administration is delegated to a separate Technical Secretariat for Electoral Administration (STAE), but the CNE itself is, in composition, less an umpire than a standing negotiation among the very parties it is meant to adjudicate between (ACE Electoral Knowledge Network, n.d.).

This detail reframes the events of October 2024. When Daniel Chapo's declared victory collapsed into the crisis described at the opening of this paper, the difficulty was not only that Mondlane's supporters distrusted a specific tally; it was that the institution charged with producing an authoritative tally had never been built to stand apart from the contestants in the first place. A commission whose own members are FRELIMO's and RENAMO's appointees cannot easily manufacture the kind of institutional distance that makes a losing side's concession possible. Mozambique, in this sense, sits at one extreme of a spectrum this paper uses to organize the cases that follow: the degree to which an EMB's design keeps it separate from the parties and the executive whose fortunes its rulings affect.

3.2 Independent Professional Commissions

At the other end of that spectrum sit commissions built explicitly to stand outside party structures, with their own budgets, tenure protections, and appointment procedures insulated from any single branch of government. South Africa's Electoral Commission is the clearest African example. Established under Chapter Nine of the 1996 Constitution as one of the institutions supporting constitutional democracy, it is staffed through a process in which a panel chaired by the Chief Justice, and including the Human Rights Commission, the Commission for Gender Equality, and the Public Protector, shortlists candidates for Parliament's approval before the President formally appoints them; commissioners serve fixed seven-year terms and can be removed only through a parliamentary process triggered by a finding of the Electoral Court (Electoral Commissions Forum of SADC Countries, n.d.; South African History Online, n.d.).

The insulation is not merely textual. When the Commission's first chairperson resigned in 1999 over what he described as an inadequate budget and interference from the Department of Home Affairs, the episode itself became evidence that the Commission's independence was something to be actively defended rather than a settled fact (Electoral Commission of South Africa, n.d.). Three decades on, that defended independence has coincided with elections whose results, however closely contested, have not produced the kind of legitimacy collapse seen in Mozambique.

Ghana's Electoral Commission complicates a simple reading of the independent-commission category, and is worth pausing on for that reason. Article 46 of the 1992 Constitution insulates the Commission's functions from "the direction or control of any person or authority," and its chairman and two Deputy Chairmen hold tenure equivalent to that of judges of the Court of Appeal and High Court respectively, the same being a substantial structural protection once in office (Constitution of Ghana, 1992, arts. 43, 44, 46; Electoral Commission of Ghana, n.d.). But appointment itself is a presidential act: Article 70 requires the President, acting on the advice of the Council of State, to appoint the Chairman and other members directly, with no equivalent to South Africa's judicially chaired shortlisting panel (Constitution of Ghana, 1992, art. 70; Electoral Commission of Ghana, n.d.). Ghana's reputation for peaceful transfers of power since the 1990s is real, and the Commission's operational independence once seated appears to have held under repeated tests. What the appointment structure shows, though, is that Ghana's stability has rested more on the tenure protections and institutional culture that followed appointment than on an appointment process itself insulated from the executive — a distinction worth keeping in mind as the picture broadens.

Kenya's Independent Electoral and Boundaries Commission (IEBC) illustrates a further, distinct failure mode: a commission that is independent in constitutional design can still fracture from within. The IEBC was created under the 2010 Constitution specifically to correct the institutional weaknesses exposed by the 2007–08 post-election violence, and its commissioners are selected through a public process rather than direct executive appointment. Yet in the closing days of the August 2022 general election, four of the Commission's seven members publicly disowned the presidential result their own chairperson was about to announce, describing the process behind the final tally as opaque and alleging that the declared figures did not reconcile with the votes reported from constituencies (Nation, 2022a, 2022b; The Star, 2022).

The chairperson, for his part, maintained that the four had instead pressed him to manufacture a run-off contrary to the law (The Star, 2022). Both the eventual result and the process that produced it were subsequently tested before Kenya's Supreme Court, which upheld the outcome. The episode is instructive less for who was right than for what it demonstrates structurally: constitutional independence protects a commission from external capture, but it does not by itself guarantee the internal cohesion and procedural transparency that make its own output believable. That second requirement, that a commission be visibly coherent as well as formally independent, is a distinct design problem from the one South Africa and Ghana were built to solve.

3.3 Hybrid and Executive-Tied Commissions

A second cluster of commissions are independent in name but remain administratively or financially dependent on the executive in ways that recurrently surface at the moment of greatest stress. Nigeria's Independent National Electoral Commission (INEC) is constitutionally autonomous, yet its logistics, procurement, and security coordination run through channels the executive substantially controls. This dependency became visible in the starkest possible way in February 2019, when INEC announced the

postponement of the presidential and National Assembly elections roughly five hours before polls were due to open, citing logistical and operational failures in distributing election materials (International Foundation for Electoral Systems, 2019; International Crisis Group, 2019).

The postponement was INEC's third in eight years, following comparable last-minute delays in 2011 and 2015, and each instance fed a durable public suspicion that logistical failure functions, whatever the Commission's intent, as a lever available to whichever side controls the resources an election depends on (Kujenga Amani, 2019). No single postponement proves manipulation; the pattern is nonetheless the kind of recurring operational fragility that a formally independent mandate does not, on its own, resolve.

Uganda's Electoral Commission (UEC) is more directly executive-tied by design: its members are appointed by the President, without the intermediating panel that South Africa uses or the fixed judicial tenure that partially offsets Ghana's presidential appointment power. The consequences were visible in the January 2021 general election, held during a nationwide internet shutdown and a security crackdown on the leading opposition candidate, the musician-turned-politician Robert Kyagulanyi ("Bobi Wine"); the United States' senior Africa diplomat described the process as "fundamentally flawed," while the Commission itself dismissed the opposition's fraud allegations without releasing evidence to substantiate its dismissal (Al Jazeera, 2021; House of Commons Library, 2021).

The same institutional pattern recurred when the incumbent was returned for a further term in January 2026, again amid opposition allegations of state interference in the Commission's conduct (AllAfrica, 2026). A commission whose composition is fixed by presidential appointment has little structural means of establishing, in a contested election, that its rulings reflect anything other than the appointing power's preference — whatever the individual commissioners' personal conduct.

Zambia's Electoral Commission (ECZ) shows a related dynamic operating through timing rather than permanent structure. Ahead of the 2016 general election, President Edgar Lungu reconstituted the Commission's membership, appointing several commissioners with no prior election-management experience, and the Commission separately awarded its ballot-printing contract to a previously unknown firm based in Dubai — decisions the opposition United Party for National Development read as evidence that the institution had been deliberately reshaped on the eve of a closely fought contest (African Arguments, 2016, 2017).

When the opposition candidate, Hakainde Hichilema, challenged the declared result, the challenge was not resolved on its factual merits but dismissed on a procedural technicality, leaving the underlying dispute about the count formally adjudicated even after the legal process had run its course (United States Department of State, 2017; African Arguments, 2017). Zambia's case is a reminder that hybridity is not always a permanent constitutional feature; a commission that is nominally durable can still be made structurally dependent through the timing and manner of a single reconstitution.

3.4 Synthesis: Independence Is Necessary but Not Sufficient

None of these cases fits neatly into a simple independent-versus-captured binary, and forcing them into one would flatten what each show on its own terms. Mozambique shows what happens when a commission is built from its contestants rather than apart from them. South Africa and, more conditionally, Ghana show that durable insulation, once secured, can hold across repeated electoral cycles. Kenya shows that formal independence solves the problem of external capture without resolving the separate problem of internal procedural coherence. Nigeria, Uganda, and Zambia show three distinct routes by which nominal autonomy dissolves in practice: dependence on executive-controlled logistics, direct executive appointment power, and eleventh-hour reconstitution. What unites them is the argument advanced at the outset: legal independence is a necessary condition for a credible EMB, but it is not sufficient on its own, and the gap between the two is where electoral conflict in Africa has tended to originate. Structure, though, is only half the picture. What a commission, however it is composed, actually does in the months and days before an election to detect and defuse conflict before ballots are ever cast matters just as much.

IV. OPERATIONAL MECHANISMS: DETECTING, DETERRING, AND DELIVERING

Structural independence, as the discussion so far has shown, is a necessary but insufficient condition for a credible EMB. It is also, by its nature, a static condition — a matter of statute, tenure, and appointment procedure that is settled long before an election is held. The three mechanisms examined in this section are dynamic by contrast: they are what a commission, or the wider state apparatus around it, actually does in the weeks and hours before and during a vote to sense trouble forming and to intervene before it hardens into violence. None of the three substitutes for the structural questions already addressed. Each can, however, determine whether a structurally sound commission holds under pressure or a structurally compromised one manages, despite itself, to avoid collapse.

4.1 Conflict Early-Warning Systems

Kenya's *Uwiano* Platform for Peace offers the most developed African example of an early-warning system built specifically around an electoral cycle, and it is instructive partly because of what it is not: it is not a function the Independent Electoral and Boundaries Commission performs itself. Established in May 2010 ahead of that year's constitutional referendum, *Uwiano* was convened by the National Steering Committee on Peacebuilding and Conflict Management and the National Cohesion and Integration Commission, with technical and financial support from the United Nations Development Programme, and it operated a toll-free SMS short-code through which members of the public could report threats, hate speech, or incidents of violence as they occurred (Communication Initiative, n.d.; National Steering Committee on Peacebuilding and Conflict Management, n.d.).

Incoming reports were triaged into six categories — informative, threat, positive message, hate speech, coded message, and incitement to violence — verified by phone before any response was dispatched, and matched against a network of trained community monitors and peace committees positioned in historically volatile constituencies (Communication Initiative, n.d.). The August 2010 referendum passed without a single recorded incident of election-related violence, a result widely credited in part to *Uwiano*'s ability to route real-time, hyper-local information to responders faster than the state's ordinary security architecture could (*Uwiano* Platform for Peace, n.d.). The Platform's origins are not incidental: it emerged directly from the same period, and largely the same coalition of state and civil-society actors, that absorbed the findings of the Waki Commission into the 2007–08 post-election violence, a connection worth bearing in mind.

The Kenyan case is worth reading against the structural argument made earlier rather than alongside it as a simple success story. *Uwiano* worked as well as it did precisely because it was not lodged inside the electoral commission: it drew its legitimacy from a civil-society and inter-agency coalition rather than from an institution whose own impartiality was, at that period, still being tested. This suggests a more general design principle than the original literature on EMB conflict-sensitivity has tended to state explicitly: a commission does not need to build early-warning capacity entirely in-house to benefit from it, and in contexts where an EMB's own neutrality is contested, routing early-warning through a separately constituted, multi-stakeholder body may do more for public confidence than folding the same function into the commission itself. Where such coordination structures do not exist, or where they exist without the trained monitoring network and the verification discipline *Uwiano* built over several electoral cycles, disputes over irregularities have far less institutional capacity to be caught and addressed before parties and their supporters move from grievance to the street.

4.2 EMB Collaboration with Security Agencies

Early warning is about sensing tension before it erupts. Security coordination is a related but different task: managing the physical protection of voters, materials, and personnel without that protection curdling into intimidation. Nigeria's Inter-Agency Consultative Committee on Election Security (ICCES), established ahead of the 2011 general election, is among the most institutionalized frameworks of this kind on the continent: chaired jointly by the Chairman of the Independent National Electoral Commission and the National Security Adviser, it brings together the police, the armed forces, and Nigeria's several intelligence and paramilitary agencies under a single coordinating structure, and it has since produced a harmonized code of conduct and rules of engagement binding on every security agency deployed to an election (Independent National Electoral Commission, n.d.-a). The Committee continues to convene ahead of Nigeria's off-cycle governorship and area-council elections, and INEC's own leadership has pointed to improved coordination between security deployment and electoral logistics — cited specifically in the 2025 Ondo State governorship election — as a template it wants replicated in subsequent contests (Independent National Electoral Commission, n.d.-b).

The value of a structure like ICCES becomes clearer set against a case where no comparable framework exists to constrain how security forces are used around a vote. Uganda's January 2021 general election, already discussed for what it revealed about the Commission's presidentially appointed composition, was also conducted during a nationwide internet shutdown and a security crackdown concentrated on the leading opposition candidate's supporters and campaign infrastructure (Al Jazeera, 2021). Where Nigeria's ICCES model treats security deployment as a function to be jointly planned and constrained by an agreed code of conduct, the Ugandan case shows security architecture operating with no equivalent multi-agency check, answerable in practice to the same executive that appoints the commission it is nominally protecting. The contrast is not proof that a formal coordinating body guarantees restraint — Nigeria's own elections have not been free of security-related complaints — but it does indicate that the absence of any negotiated framework leaves security deployment entirely at the discretion of whichever actor controls it, with no institutional mechanism through which an EMB, opposition parties, or civil society can contest that discretion before, rather than after, an election.

4.3 Logistics and Technological Preparedness

The clearest illustration of how logistical failure can escalate into a full legitimacy crisis, and of how a commission can subsequently rebuild from one, remains Kenya's own experience across two consecutive election cycles. In August 2017, the biometric voter-identification kits the Independent Electoral and Boundaries Commission relied on for results transmission failed extensively — many could not read voter details, and others could not establish the network connection needed to transmit results from the polling station to the national tallying center (Global Security, 2022).

When the result was challenged, the Commission's own refusal to grant the Supreme Court full access to its servers left the irregularities in transmission effectively un rebuttable, and the Court's four-judge majority nullified the presidential election outright — the first annulment of a sitting president's re-election by a court anywhere in Africa — on the ground that the Commission had failed to conduct the poll in a manner "consistent with the dictates of the Constitution" (Al Jazeera, 2017a, 2017b).

Kenya's technological rebuild for 2022 was substantial: an integrated election-management system replaced the failed 2017 kits, commissioners described comprehensive staff retraining, and the Commission moved preemptively against implicated officers before polls opened (Global Security, 2022). That the 2022 election nonetheless produced the internal fracture already documented — four commissioners publicly disowning the presidential tally — shows that solving the technology problem and solving the institutional-cohesion problem are separable achievements; Kenya solved the first without fully solving the second.

The Democratic Republic of Congo's December 2023 general election shows what happens when neither problem is solved and the compressed timeline for organizing the vote compounds both. The Independent National Electoral Commission (CENI) opened polling nearly three hours late nationally, and by the scheduled close of voting close to a third of polling stations still had not opened while independent observers estimated that around forty-five percent of voting machines had suffered technical failures (Al Jazeera, 2023; AllAfrica, 2023).

Voting was extended over multiple additional days without CENI offering a clear public account of the scale of the disruption, and the Carter Center's subsequent final report found that the vote-tabulation process deviated significantly enough from established procedure that party agents and observers were unable to witness the count directly, a defect serious enough that results for eighty-one National Assembly seats were later annulled over fraud allegations (Carter Center, 2024). Where Kenya's 2017 failure produced a judicial remedy precisely because an independent court could compel the Commission's disclosure, the Congolese case did not generate an equivalent corrective mechanism, and the disputed results stood.

4.4 Synthesis: Mechanisms as a Multiplier, Not a Substitute

The pattern across these three mechanisms is consistent with, and sharpens, the structural argument already made. Early warning, security coordination, and logistical capacity each function as multipliers on top of an EMB's underlying independence rather than as independent guarantees of peaceful conduct in their own right. A well-designed early-warning system such as *Uwiano* can compensate, to a degree, for an EMB whose own neutrality is still being established, precisely because it operates outside the commission. A negotiated security framework such as Nigeria's ICCES constrains how force is used around a vote in a way no framework constrains it in Uganda, where the Commission's presidential appointment and the security services answer, in practice, to the same authority.

Technological investment, however necessary, resolves only the logistical layer of the problem: Kenya's 2022 election shows that a commission can fix its machines and still fracture over the process by which results are aggregated, while the Democratic Republic of Congo's 2023 election shows what happens when neither the machines nor the process behind them are fixed, and no external check exists to compel a remedy. What remains, then, is the everyday professional culture inside these commissions, and the political constraints that keep so many of them from closing the gaps already identified.

V. PROFESSIONAL CULTURE AND GOVERNANCE INSIDE THE COMMISSION

Institutional design and operational mechanism, taken up so far as largely separate problems, do not exhaust the picture: who a commission answers to, and what it does in the field once an election is underway, still leave open a third layer that is easy to underestimate precisely because it is less visible than either — the everyday professional conduct of the people who staff a commission, and whether procurement, registration, and tabulation are actually carried out the way the commission's own rules say they should be. Zimbabwe's Electoral Commission (ZEC) illustrates how quickly this layer becomes indistinguishable, in the public's eye, from the structural independence question already raised.

Freedom House's 2023 and 2024 country assessments record that the Commission did not release the voter roll within the timeframe its own Electoral Act requires, denying opposition parties and civil society the window to audit it before the 2023 general election, more so as international monitors have repeatedly flagged opaque procurement processes around ballot printing and distribution (Freedom House, 2023, 2024). Whatever the underlying cause, a missed statutory deadline of this kind functions, for a watching public, exactly like evidence of manipulation — procedural drift and deliberate capture are not easy to tell apart from the outside, which is itself an argument for why professional discipline around a commission's own procedures matters independently of the deeper question of who appointed its commissioners.

The Democratic Republic of Congo's 2023 election, already discussed for its logistical failures, shows the same dynamic on a larger scale. The Carter Center's final report found that the vote-tabulation process deviated from CENI's own established procedure closely enough that party agents and independent observers could not witness the count directly, a defect distinct from and additional to the machine failures and late-opening polling stations documented separately (Carter Center, 2024). Kenya's 2022 election offers a rare counter-example of a commission acting against its own staff before rather than after a controversy became public: days before the vote, the Independent Electoral and Boundaries Commission dismissed four election officers over an alleged scheme to help rig results in a western constituency (Global Security, 2022).

It is hard to tell from outside the institution whether this reflected a genuinely improved internal accountability culture, or simply better luck at catching a specific scheme in time, but the contrast with Zimbabwe and the Democratic Republic of Congo is instructive: a commission that polices its own procedural conduct, and is seen to do so, buys itself credibility that structural independence alone does not automatically confer. This is consistent with the pattern already observed in Ghana and South Africa — that fixed tenure and protection from summary removal appear to matter less for what they guarantee in principle than for the room they create for staff to resist an irregular instruction without fear of losing their position for doing so.

VI. STRUCTURAL AND POLITICAL CONSTRAINTS ON REFORM

Four recurring constraints keep the reforms implied by the discussion so far from being adopted, or from holding once adopted, and each is visible in a specific case already discussed rather than in the abstract. The first is legal instability. Nigeria has now rewritten its principal electoral statute three times in under two decades — the 2010 Act, the 2022 Act, and a further Electoral Act assented to in 2026 to close gaps the 2022 reform left open, including disputes over result-transmission timelines and the display period for the voters' register (Historical Nigeria, 2025; Dawn Commission, 2026).

The 2022 Act's headline achievement, a dedicated Independent National Electoral Commission Fund intended to give the Commission financial autonomy from the Ministry of Finance's ordinary vetting process, is itself instructive: it improved INEC's position without fully resolving it, since the Commission's funding still is not entrenched as a constitutional first-line charge, meaning a future administration retains real leverage over the Commission's budget regardless of what the Electoral Act currently says (Businessday NG, 2022; Historical Nigeria, 2025). A commission whose statutory foundation is rewritten roughly every election cycle has little opportunity to build the settled institutional culture already shown to matter in its own right.

The second constraint is direct political interference, and Zimbabwe again supplies the clearest documented case. Beyond the procedural lapses already discussed, the opposition Citizens Coalition for Change has pointed to a pattern of commissioner appointments connected by family ties to senior ruling-party figures, with its spokesperson describing the resulting body bluntly as a partisan instrument rather than a neutral referee (Al Jazeera, 2022). Freedom House's independent assessment reaches a related, more measured conclusion: that the Commission's independence from the ruling party is, in its own careful phrasing, "questionable" (Freedom House, 2023, 2024). A note on sourcing is warranted here. An earlier version of this paper drew on a direct quotation attributed to a named former Zimbabwe Electoral Commission official describing pressure to align decisions with the ruling party's interests. That attribution could not be independently verified against any locatable primary or secondary source in this revision, and it has accordingly been dropped rather than reproduced; the substantive claim it was used to support — that ZEC's independence is compromised by proximity to the ruling party — is, as shown above, well supported by verifiable reporting, so the underlying argument stands even though the specific quotation does not. If the scholar has the original source for that attribution, it can be reinstated with a verified citation.

The third constraint is a capacity gap that compounds rather than substitutes for the independence problem: commissions that are formally free of executive control but structurally under-resourced or internally divided still struggle to act on that freedom. Kenya's Independent Electoral and Boundaries Commission is the clearest illustration already developed in this paper — the 2022 fracture already documented, in which four of seven commissioners publicly disowned their own chairperson's tally, is difficult to explain by external capture alone,

since the Commission's appointment process is comparatively insulated from direct executive control. It is easier to explain as a symptom of an institution operating under sustained political and public pressure without a settled internal process for resolving disagreement among its own members before, rather than during, the announcement of a result. The same caveat applies here as above: an earlier version of this section attributed to a named Commission chair a direct statement about fear and suspicion undermining the Commission's decision-making, and that attribution likewise could not be independently verified in this revision and has been dropped. The 2022 episode itself, however, is extensively and independently documented, and it supports the same underlying point without requiring the unverified quotation.

The fourth constraint is the gap between identifying a problem and enforcing a remedy. Kenya's own Commission of Inquiry into Post-Election Violence, chaired by Justice Philip Waki and convened after the 2007–08 crisis, produced detailed findings on the security sector's failure to contain violence and pressed for police reform and accountability mechanisms that would take years to partially implement (Waki Commission, 2008). It is not a coincidence, as already noted, that the *Uwiano* Platform for Peace emerged from the same period and the same set of state and civil-society actors who absorbed the Waki Commission's findings; effective early-warning infrastructure, in Kenya's case, was built in direct response to a documented institutional failure rather than in anticipation of one.

Nigeria's experience with vote-buying enforcement shows the opposite pattern: INEC's own leadership has publicly acknowledged, as recently as its February 2025 Inter-Agency Consultative Committee on Election Security meeting, that vote-buying remains a serious and unresolved threat to electoral integrity despite years of arrests and public warnings (Punch, 2025). A commission of inquiry's findings, or a chairperson's repeated public warnings, do not by themselves close a legal and political enforcement gap; they identify it and place responsibility for closing it on institutions — legislatures, prosecutors, courts — that sit outside the EMB's own control.

VII. RECOMMENDATIONS: GROUNDED IN THE CASES EXAMINED

The reforms that follow are deliberately tied to the specific institutional failure each case in this paper has demonstrated, rather than offered as a single generic template assumed to fit every commission equally. A reform agenda built only from general principles — independence, resources, transparency — risks prescribing South Africa's solution to Mozambique's problem, when the two commissions' underlying defects are not the same.

The reform in Mozambique implied by this paper's argument is structural before it is procedural: a National Election Commission whose seats are apportioned directly among contesting parties cannot easily produce a result its losers experience as independently adjudicated, however well its Technical Secretariat performs administratively. The ACE Electoral Knowledge Network's own case material on Mozambique frames this explicitly as a need for depoliticization of the Commission's composition (ACE Electoral Knowledge Network, n.d.), and this paper's case evidence supports that framing directly: the October 2024 crisis was not primarily a failure of ballot logistics but a failure of an institution built from its own contestants to produce a tally either side could accept. A credible reform path would separate the party-apportioned oversight function from day-to-day technical administration more completely, professionalizing STAE's role with protections against party-linked staffing decisions, closer to the model South Africa's Chapter Nine Commission uses to keep operational staff insulated from the political actors its rulings affect.

The 2022 fracture in Kenya points to a gap in process rather than in formal independence: nothing in the Commission's structure compels its members to resolve internal disagreement over the aggregation and verification of results before a chairperson announces a national tally. A statutory requirement for a documented, auditable sign-off process among commissioners prior to any presidential declaration — with the underlying data made available for scrutiny rather than contested only after the fact, as happened in 2017 — would not prevent every future dispute, but it would convert the kind of last-minute public breakdown seen in 2022 into a disagreement resolved, or at least documented, before rather than during the announcement. The technological gains of the 2022 integrated election-management system are also worth entrenching in statute rather than leaving to administrative discretion, since a future commission could otherwise revert to weaker systems without needing to justify the change to anyone outside itself.

The trajectory in Nigeria from the 2010 Act through the 2022 and 2026 Acts shows a legislature capable of responding to demonstrated failures, which is itself a resource other cases in this paper do not have. The unfinished piece of that trajectory is INEC's financial status: converting the Commission's funding from a dedicated statutory fund into a constitutional first-line charge, as recommended by Nigeria's own long-standing electoral reform advocacy dating back to the 2008 Uwais Report, would remove the residual executive leverage that even the 2022 reform left in place. On the enforcement side, the Inter-Agency Consultative Committee on Election Security's code of conduct is a genuine institutional asset largely unmatched elsewhere in this paper's case set; its value would be strengthened by an independent monitoring and public-reporting mechanism

specifically for vote-buying enforcement, given INEC's own repeated acknowledgment that arrests alone have not resolved the problem.

The central defect in Uganda is appointment architecture rather than operational capacity: a commission whose members are appointed directly by the president has no structural basis for the public to treat its rulings, in a contested election, as independent of the appointing power's preference. South Africa's judicially chaired shortlisting panel is the most directly transferable model available within this paper's own case set, and adopting an equivalent mechanism — removing sole appointment discretion from the presidency without necessarily removing the presidency from the process entirely — would address the specific defect the 2021 and 2026 elections both exposed, rather than the broader and harder-to-legislate question of the security services' independence from executive direction.

For Zambia, the 2016 episode identifies a narrower and more legislatively tractable problem than most of the other cases here: a sitting president's ability to reconstitute the Commission's membership and materially alter its procurement arrangements in the immediate run-up to a general election. A statutory blackout period — barring changes to Commission membership or major procurement decisions within, for example, twelve months of a scheduled general election, absent a documented and independently reviewed cause — would close the specific timing loophole this case exploited without requiring a broader reconstitution of the Commission's underlying appointment structure.

The 2023 case in Democratic Republic of Congo argues for two distinct remedies addressing two distinct failures. The compressed electoral calendar that the Carter Center identified as a root cause of the logistical breakdown points toward decoupling voter registration and material-distribution planning from the political process that sets election dates, so that preparation timelines are not compressed by decisions taken for reasons unrelated to logistical feasibility. The tabulation-transparency failure points to a second and separate need: an independent judicial or quasi-judicial review mechanism with the standing and technical capacity to compel disclosure of the kind Kenya's Supreme Court was able to compel from the IEBC in 2017, which the Congolese case shows was not available in any comparable form when eighty-one National Assembly results were annulled after the fact rather than reviewed before the count was finalized.

At the regional and continental level, the case evidence in this paper points toward a specific shift in what the African Union (AU), the Southern African Development Community (SADC), and the Economic Community of West African States (ECOWAS) actually measure in their election-support work. Current observer missions concentrate overwhelmingly on election-day conduct — queue management, ballot security, isolated incidents of violence — and far less on the structural variables this paper has shown to be more predictive of post-election crisis: appointment method, tenure protection, budget-line status, and the presence or absence of a statutory blackout period around commission reconstitution. A standing pre-election structural audit, published well ahead of polling day and assessing each of these variables against a common regional standard, would make the kind of institutional risk Mozambique's CNE and Uganda's UEC represent visible to voters, domestic civil society, and international partners before a crisis rather than largely after one, when an observer mission's post-election report can at best explain what has already happened. International donors and technical-assistance providers could usefully anchor funding and support to the same structural benchmarks, since the Kenyan case in particular shows that technology procurement alone, however well-funded, does not resolve the institutional-cohesion problems already documented.

VIII. CONCLUSION

The crisis occasioned by Mozambique's disputed count, with which this paper opened, was never only about the numbers themselves. Mozambique's National Election Commission, built from seats apportioned to the very parties an election is meant to adjudicate between, was structurally poorly positioned to produce a result its losing side could believe, and the months of protest and lethal crackdown that followed were the predictable consequence of that design rather than an anomaly within it. Set against the seven further cases this paper has examined, Mozambique sits at one end of a continuum rather than as an isolated failure: South Africa and, more conditionally, Ghana show what durable institutional insulation looks like when it holds; Kenya shows that formal independence solves external capture without guaranteeing internal cohesion, and that a commission can rebuild its technology without rebuilding trust in its process; Nigeria, Uganda, Zambia, Zimbabwe, and the Democratic Republic of Congo each show a distinct route by which nominal independence dissolves in practice, whether through executive-controlled logistics, direct appointment power, eleventh-hour reconstitution, procedural drift, or a compressed calendar with no independent remedy attached.

What unites these cases is the argument advanced at the outset: legal independence is a necessary condition for a credible Electoral Management Body, but it is not a sufficient one, and the space between the two is where African electoral conflict has tended to originate over the past three decades. Closing that space is not a matter of a single reform applied uniformly across the continent. It is a matter of identifying, case by case, which specific link in the chain between statute and operational capacity has actually broken — a party-apportioned commission in Mozambique, an internal verification gap in Kenya, an unentrenched budget in Nigeria, an unconstrained appointment power in Uganda, an unregulated reconstitution window in Zambia, an unenforced procedural timeline in Zimbabwe, a compressed calendar with no independent check in

the Democratic Republic of Congo — and building the narrow, specific reform that closes that particular gap. Institutional resilience, on the evidence assembled here, is built one closed gap at a time, not declared into existence by a single constitutional clause.

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