

EISA ELECTION RESOURCE CENTER



A weekly review of South Africa's 2019 election period

ELECTION DAY MISHAPS: MERE HICCUPS OR POOR PLANNING?

WRITTEN BY QIQA NKOMO

South Africa's sixth democratic national and provincial elections, which took place on 8 May 2019, are considered the most significant since the historic 1994 elections (Ipsos, 2019). Rampant unemployment, service-delivery protests, crippling power shortages and load-shedding, heated commissions of inquiry, incidents of xenophobic and gender-based violence, and politically linked violence all served as a backdrop to this crucial election, giving it even more significance (EISA, 2019). A week before the elections took place, the IEC, the body responsible for managing elections in South Africa, announced it was fully equipped and ready to facilitate fair and peaceful elections for the 26 million registered voters (IEC, 2019).

Concerns raised on voting day

Opening times and stations that did not open: All 22 942 voting stations across South Africa were meant to open at 7am on election day. There were reports of voters queueing at stations from 6.30am, yet by mid-morning, more than 17 stations, in KwaZulu-Natal and Eastern Cape, had not opened. By the end of the day, five stations did not open at all due to ongoing protest action (SABC, 2019). The IEC's response to polling stations opening later than the stipulated time was announcing that, if there were still people queueing at these stations, they would remain open after the 9pm closing time for all other stations. The IEC also announced that it was unlikely that the

*Election day
8 May 2019*

**ELECTION DAY
MISHAPS: MERE
HICCUPS OR POOR
PLANNING?**

**UNION STRIKES ON
THE EVE OF THE 2019
ELECTIONS**

**SECTION 24A AND
THE 2019 ELECTIONS**

**SERVICE-DELIVERY
PROTESTS AND THE
2019 ELECTIONS**

**THE COUNTING
PROCESS, FROM
BALLOT TO RESULTS
BOARD**

**VOTER TURNOUT
IN THE 2019
ELECTIONS**

five stations that did not open would affect the outcome of the elections.

- **Indelible ink:** The IEC received numerous reports regarding the ink used to mark people who had already voted. The ink, which was supposed to be indelible, was easily removed by some, making it possible to vote more than once. The commission noted that instances where the ink rubbed off were “a partial reality” and “not a universal truth”, as it also received reports of the ink not rubbing off (SABC, 2019; IEC briefs the media on voting so far, 2019).
- **Opportunity to vote:** Reports emerged of employers, mostly in the retail sector, not allowing their employees to vote (SABC, 2019). The IEC encouraged people to report these incidents so that it can investigate the matter.
- **Scanners and VEC4 forms:** Various complaints were received of ID scanners being offline, which meant that it was possible for people to use VEC4 forms and vote multiple times at different stations. VEC4 forms are sworn affidavits authorised in terms of Section 24A of the Electoral Act (1998) that permit voting if a voter is not in their registered district on election day (CapeTalk, 2019). Persons who are found to have exploited this issue will be charged with fraud.
- **Ballot sheets:** There were complaints of stations running out of ballot sheets in Gauteng and Western Cape. The IEC noted that the issue of stations running out of ballot sheets was due to people going to stations where they were not registered, resulting in shortages. Ballot sheet shortages were resolved by 5pm (SABC, 2019; IEC, 2019).
- **Voting stations:** Some polling stations in Limpopo and North West closed for short periods during the day due to unrest (SABC, IEC briefs the media on voting so far, 2019). These stations were later opened and voters who were still queueing were allowed to vote.

Election day revealed some shortfalls for the IEC in terms of possible instances of multiple voting. The day also prompted questions as to why the IEC’s data-capturing system was not digitised for efficiency and security. These issues are not entirely new to the IEC and have in the past been considered minor. However, due to the socioeconomic climate in which the 2019 elections took place, these issues were considered major, to the point where 30 out of the 48 political parties that contested requested a rerun. Despite the glitches on election day, the IEC recorded a voter turnout of 65% of registered voters, with more than 90% of polling stations functioning without interruption. The IEC was generally prepared but these elections revealed that there is always room for improvement.

References

- CapeTalk. (2019, May 9). *Cope's Deidre Carter says her ID was scanned at four different voting stations*. Retrieved from CapeTalk: <http://www.capetalk.co.za/articles/347690/cope-s-deidre-carter-says-her-id-was-scanned-at-four-different-voting-stations>
- Davis, R. (2019, May 9). *Twenty people in KwaZulu-Natal arrested for voting twice – but those votes still count*. Retrieved from DailyMaverick: <https://www.dailymaverick.co.za/article/2019-05-09-twenty-people-in-kwazulu-natal-arrested-for-voting-twice-but-those-votes-still-count/>
- EISA. (2019). *EISA Elections Series: A weekly review of the South African 2019 national and provincial elections*. Johannesburg: Electoral Institute for Sustainable Democracy in Africa.
- IEC. (2019, May). *All systems “GO!” For National and Provincial Elections 2019*. Retrieved from Independent Electoral Commission: <https://www.elections.org.za/content/About-Us/News/All-systems-%E2%80%99CGO!%E2%80%9D-For-National-and-Provincial-Elections-2019/>

Ipsos. (2019, May 7). *Final Election Outlook 7 May 2019*. Retrieved from Ipsos Game Changers: <https://www.ipsos.com/en-za/final-election-outlook-7-may-2019>

Manyathela, C. (2019, May 8). *POLITICAL PARTIES LODGE COMPLAINTS WITH IEC ABOUT REMOVABLE INK, OTHER ISSUES*. Retrieved from EWN: <https://ewn.co.za/2019/05/08/political-parties-complain-to-iec-about-removable-ink-other-issues>

SABC. (2019, May 8). *IEC briefs the media on voting so far*. Retrieved from SABC Digital News: https://www.youtube.com/watch?v=chb_wY_8hUQ&t=1s

SABC. (2019, May 8). *IEC Media Briefing*. Retrieved from SABC Youtube channel: <https://www.youtube.com/watch?v=OQeHR7eb2rs>

UNION STRIKES ON THE EVE OF THE 2019 ELECTIONS

WRITTEN BY SIZWE NENE

South Africa is one of few countries where striking is a constitutional right. Section 23(2)(c) of the Constitution provides that “every worker has the right to strike, which thereby gives effect to its duties as members under the conventions” (Constitution, 1996). The right can only be limited in terms of the law of general application to the extent that it is reasonable and justifiable in terms of Section 36 of the Constitution. As the 2019 national and provincial elections drew nearer, the National Education, Health and Allied Workers’ Union (NEHAWU) pursued strike action against the Independent Electoral Commission (IEC) for various workplace grievances. Although workers have a constitutional right to strike, the timing of the strike a few days before the elections could have had serious ramifications for the IEC as an employer, and the electoral process, if it was left unresolved.

On 5 May 2019, just three days before the elections, it was reported that efforts to reach an agreement between the union and the IEC had broken down. NEHAWU stated that the IEC failed to implement recommendations related to salary bands and organisational structure, which were adopted over the last three years. This after a service provider appointed by the IEC pronounced that the organisation’s structure should be reconfigured with immediate effect. The IEC, however, did not effect the changes, which led to low staff morale.

Another bone of contention was the IEC’s reluctance to provide staff with the necessary tools of trade, such as transportation to move between voting stations to deliver and collect ballot boxes. There were also allegations of harassment and victimisation by IEC management staff on workers (Gous, 2019). The timing of NEHAWU’s strike action placed the IEC in a difficult position in which it needed to respond swiftly. The parties eventually reached a resolution on 6 May, with the IEC addressing matters pertaining to salaries and implementing the organisational structure. A committee was established to implement the resolutions (Somdyala, 2019).

If these issues were not resolved, the IEC risked losing credibility after years of maintaining a good record of delivering free and fair and elections (Dlulani, 2019). While the union’s grievances may have been valid, the timing of this the and the extent to which it was reasonable and justifiable in terms of Section 36 of the Constitution remains questionable.

References

Constitution. 1996. The Republic of South Africa.

Dlulani, B. 2019. IEC strike averted after NEHAWU reaches deal with Commission. Available at: <https://ewn.co.za/2019/05/06/iec-strike-halted-after-nehawu-reaches-deal-with-commission>.

Gous, N. 2019. Election team meets union to avert possible election-day strike. Available at: <https://www.timeslive.co.za/news/south-africa/2019-05-06-election-team-meets-with-nehawu-to-avert-possible-election-day-strike/>.

Somdyala, K. 2019. Voting day strike averted as NEHAWU, IEC resolve impasse. Available at: <https://www.news24.com/elections/news/voting-day-strike-averted-as-nehawu-iec-resolve-impasse-20190506>.

SECTION 24A AND THE 2019 ELECTIONS

WRITTEN BY NANCY HAKIZIMANA

The sworn or affirmed statement by a voter whose name is not on the voters' roll, or VEC4 form, received much public attention during the 2019 national and provincial elections. The VEC4 form serves as part of the provisions of Section 24A of the Electoral Act (1998), which caused various issues on election day. As per Section 24A, VEC4 forms must be filled in by persons who wish to vote in districts outside of where they are registered, and if a person is outside the province where they are registered, they will only be able to cast a ballot for the national election and forego voting in the provincial election.

When a large number of voters across the country use VEC4 forms, it can cause difficulties for the electoral process; and such challenges, whether intentional or unintentional, can have far reaching implications.

On voting day, the Independent Electoral Commission (IEC) announced that there was a shortage of ballot papers at some stations due to an increase of voters exercising provisions of Section 24A. These stations were mostly in Cape Town, Western Cape (for example, at Jan van Riebeeck High School, Tamboerskloof Primary School and St Cyprians School). Some voters might have also decided to vote at different voting stations to avoid queuing in the rain at stations where they were registered. The shortage of ballot papers was not only limited to Western Cape – a polling station in Pretoria, Gauteng; and two in Durban, KwaZulu-Natal, were also affected.

According to electoral law, to ensure that ballots are not tampered with, ballot papers must be transported with police escorts. However, with the South African Police Service having to deal with protest action and other security protocol, the delivery of more ballot papers was delayed. Thus, the shortage of ballot papers at these stations caused long queues as voters had to wait until extra ballot papers arrived. People then either turned back and didn't vote or looked for other polling stations to vote in line with Section 24A.

The costs and security risks of having large numbers of additional ballots at each station could be significant. The challenges related to the legitimate use of VEC4 forms in the 2019 elections may need to be addressed in future elections. What was revealed is that the provisions made under Section 24A caused ballot papers to run out, which in turn caused unnecessary queues and in some cases resulted in people not voting.

References

- Digital Editors. Elections 2019: These voting stations have run out of ballot papers. The South African. Accessed at: <https://www.thesouthafrican.com/news/voting-stations-running-out-ballot-papers-list-8-may-2019/>
- Gerber, J. (2019). Everything you need to know before you go vote. News24. Accessed at: <https://www.news24.com/elections/news/everything-you-need-to-know-before-you-go-vote-20190508>
- Gerber, J. (2019). Biggest headaches for Western Cape IEC: Voting stations running out of ballot papers and the rain. News24. Accessed at: <https://www.news24.com/elections/news/biggest-headaches-for-western-cape-iec-voting-stations-running-out-of-ballot-papers-and-the-rain-20190508>
- Makinanaiee, A. (2019). IEC promises to sort out Western Cape ballot paper shortages. Timeslive. Accessed at: <https://www.timeslive.co.za/politics/2019-05-08-iec-promises-to-sort-out-western-cape-ballot-paper-shortages/>

SERVICE-DELIVERY PROTESTS AND THE 2019 ELECTIONS

WRITTEN BY SANDILE KHUBONI

On 11 May 2019, three days after the 2019 national and provincial elections, the Independent Electoral Commission (IEC) declared that the ANC had retained an elected majority in Parliament by winning 57.5% of all national votes cast. Although numerous factors may have affected the voter turnout in these elections, which was the lowest in South Africa's democratic history, the high number of service-delivery protests that occurred in the period leading up to the election is reflective of the disillusionment felt by many South Africans towards government.

But to what extent do pre-election protests affect voter turnouts and overall election outcomes?

Service-delivery protests can be an effective means for citizens to communicate with local and central government. The majority of these protests represent genuine community grievances, for example, on the delivery of adequate housing, water and electricity, as well as to highlight various socioeconomic problems faced by poor South Africans. Nevertheless, the relationship between protests and politics is often nebulous, as protests are sometimes part of election campaigning or attempts at demobilisation.

Significantly, the timing and occurrence of service-delivery protests during election periods can have political underpinnings, with the objective of influencing electoral outcomes. In the period leading up to the 2019 elections, political parties in Gauteng, especially the DA and the ANC, accused each other instigating service-delivery protests in the province's metros. The clearest example of this was seen in Alexandra, north of Johannesburg, where protest action was seen by the DA as a "political stunt" by the ANC to discredit Johannesburg Mayor Herman Mashaba, who is a DA member.

The relationship between service-delivery protests and voting is interesting, since voter preference in South Africa is associated with many factors, such as "race, ethnicity and regionalism; party loyalty; and campaigns and performance" (Sadie, et al., 2016). As such, the manner in which voters perceive government performance can be seen as being directly related to election outcomes. But the degree to which actual performance, in terms of service-delivery, negatively affects national election outcomes is unclear. As was the case in the 2016 local government elections, poor service-delivery can influence local government and municipal elections. This as weak performance at the local government level is equated to the general functioning of local government (Sadie, et al., 2016). The high number of service-delivery

protests leading up to 2016 local government elections correlated with a drastic overall decline in support for the ANC at the local government level (Steyn, 2016).

Although there was a high number of service-delivery protests in the period leading up to the 2019 elections – especially in Gauteng, KwaZulu-Natal and North West – very few occurred on election day and had no significant impact on the outcome of the elections. Nevertheless, the IEC faced logistical delays in some areas affected by service-delivery protests (Dlamini, 2019).

Surprisingly, results in protest hotspots did not provide much insight as to how protests might affect election outcomes. The ANC retained its political stronghold in Alexandra, with 73.61% of the vote. This was followed by the EFF, which increased its share of the vote to 18.44% in 2019, from 15.13% in 2014; while the DA's votes decreased to 4.8% in 2019, from 6.87% in 2014 (Daily Maverick Team, 2019). The ANC's victory in Alexandra came in spite of the recent service-delivery protests in the area, which were related to an amount of R16 billion budgeted for housing that went unaccounted for by the ANC leadership.

References

Daily Maverick Team, 2019. *Gauteng: ANC retain a hold of key several delivery protests hot spots*. [Online] Available at: <https://www.dailymaverick.co.za/article/2019-05-10-gauteng-anc-retain-a-hold-in-key-service-delivery-protest-hot-spots/> [Accessed 14 May 2019].

Dlamini, S., 2019. *Elections were peaceful despite minor incidents--EISA*. [Online] Available at: <https://www.polity.org.za/article/elections-were-peaceful-despite-minor-incidents-eisa-2019-05-10/searchString:service+delivery+protests> [Accessed 14 May 2019].

Sadie, Leala, P. & Badry, K., 2016. A comparative case study of votinh behavior of poor people in three selected South African Communities. *Journal of African Studies*, 15(1), pp. 113-138.

Steyn, L., 2016. *Service delivery protests set for new highs this election year*. [Online] Available at: <https://mg.co.za/article/2016-05-18-service-delivery-protests-set-for-new-highs> [Accessed 14 May 2019].

THE COUNTING PROCESS, FROM BALLOT TO RESULTS BOARD

WRITTEN BY THEMBELANI MAZIBUKO

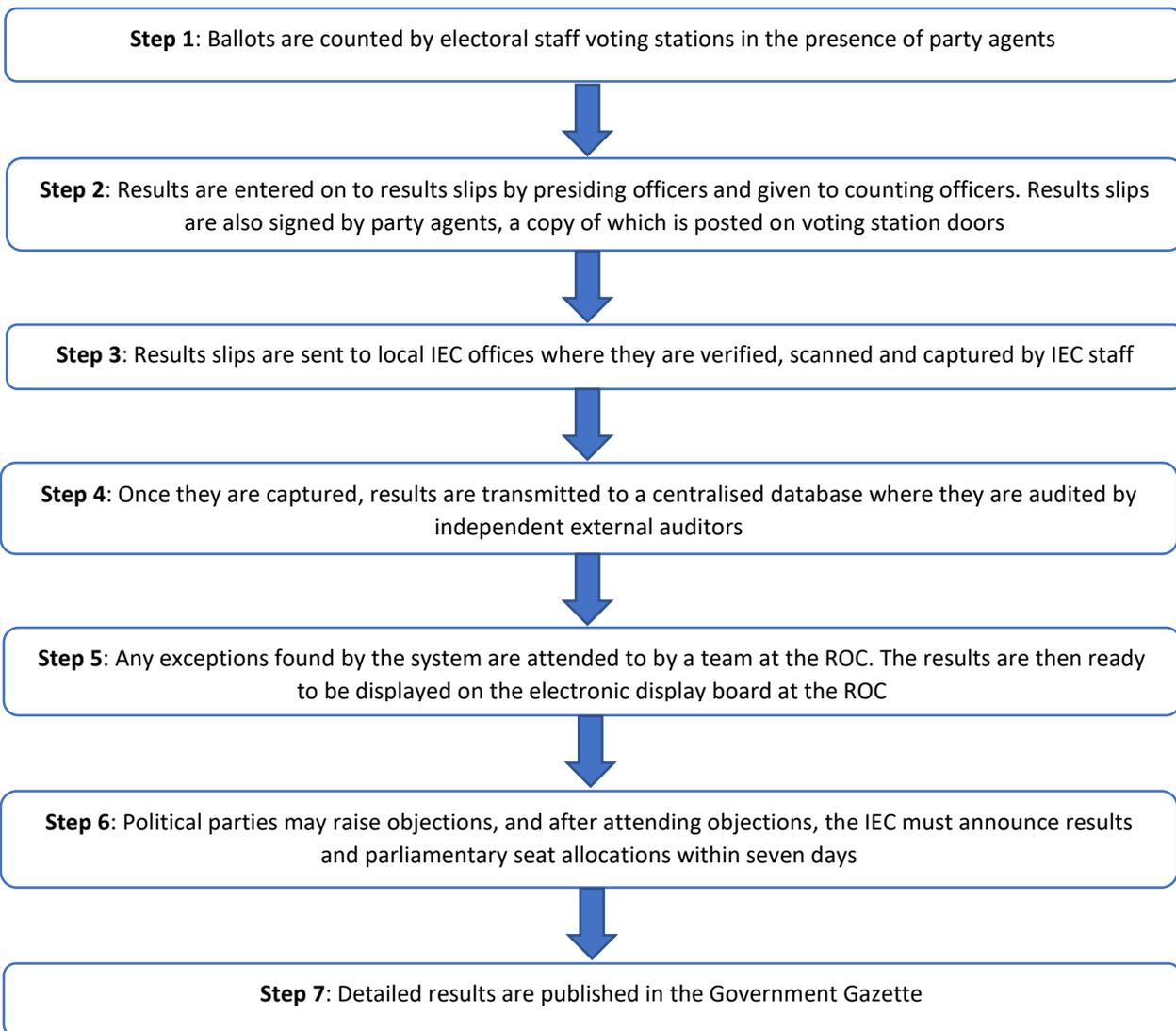
An important part of maintaining the integrity of elections is not only counting votes accurately, but transmitting results from the various voting stations to the large electronic board at the Results Operations Centre (ROC). To ensure this, the Independent Electoral Commission (IEC) makes use of robust internal mechanisms and checks and balances.

Vote counting begins immediately after all votes are cast and polling stations are officially closed. Once the sealed ballot boxes are opened and all ballot sheets are appropriately counted, checked and bundled by electoral staff, the results are entered on to results slips that are submitted to counting officers in the presence of party agents. The ballots are then placed back into the ballot boxes, which are resealed and kept in secure storage for six months after the elections.

Results slips are sent to local IEC offices where they are verified, scanned, captured and transmitted to a centralised database. The dual scan-capture system makes digital results as well as a scan of the original slip available. This system ensures that technical errors and potential fraud in the transmission of results are avoided. Results are captured using the “double-blind capturing and validation” method, and are audited by independent external auditors.

Built into the system is a mechanism that is able to flag possible exceptions, such as exceptionally high or low voter turnout. Upon flagging, a team at the ROC checks, investigates and, if necessary, attends to the matter. Once this is done, the result is combined along with results from other parts of the country, then displayed on the electronic board at the ROC.

After attending to all objections, the IEC is mandated to make results, along with parliamentary seat allocations, known within seven days. The elections are formally concluded when the IEC chairperson announces the results. The results are published in the Government Gazette soon thereafter.



Since South Africa's first democratic elections, the IEC has enjoyed a relatively high level of trust and legitimacy, domestically and internationally. An important reason for this legitimacy lies in the IEC's own procedures as well as the use of independent external auditors. For the IEC to maintain the trust it has gained, it is imperative that its procedures remain robust and transparent.

References

Elections 2019: 25 years of Democracy. 2019. Independent Electoral Commission: Pretoria

Independent Electoral Commission. 2019. *All systems "GO!" For National and Provincial Elections 2019*. <https://www.elections.org.za/content/About-Us/News/All-systems-%E2%80%9CGO!%E2%80%9D-For-National-and-Provincial-Elections-2019/> (online: 13 May 2019)

VOTER TURNOUT IN THE 2019 ELECTIONS

WRITTEN BY MAITE DITHEBE

Voter turnout is a key indicator in any election as it represents the will of the people (Morais, 2019). On 11 May 2019, three days after the 2019 national and provincial elections, the Independent Electoral Commission (IEC) confirmed that the voter turnout in the 2019 elections was just more than 65.5%, an almost 8% drop from 2014, making these elections the least participated in in South Africa's democratic history (IEC, 2019). More than 26 million South Africans were registered to vote (55% women and 49% men), with 10 million eligible citizens choosing not to register (IEC, 2019).

Voter turnouts differed between provinces. In these elections, opposition parties in Gauteng and Western Cape had a serious chance to contest for power (Kahla, 2019). However, Gauteng recorded a 68% voter turnout (Nqola, 2019), while Western Cape recorded 66.28% (Eyewitness News and Felix, 2019). Rural provinces had even lower voter turnouts: Limpopo recorded the lowest voter turnout at 56.36%; Mpumalanga recorded 63.2%; North West recorded 57.01%; KwaZulu-Natal recorded 66.15%; Eastern Cape recorded 59.51%; and Northern Cape recorded 64.12% (IEC, 2019).

Voter participation has been in a steady decline since the historic 1994 election. One contributing factor might be citizens' growing distrust of government and political parties owing to corruption and general underperformance (Afrobarometer, 2016: 10). Increasing voter apathy also contributed to the lower voter turnout. With rampant corruption and many election promises left unfulfilled, government has failed to earn the trust of voters in many provinces, resulting in them not casting their votes (Pillay, 2019).

Other factors for the low voter turnout in the 2019 elections included bad weather conditions (Mortlock, 2019), power cuts (Citizen, 2019), and service-delivery protests.

Low voter turnout is a serious concern for any democracy. The possible factors that have led to low voter turnouts should be examined in order for them to be rectified. Perhaps the most notable aspect of the 2019 elections is that the outcomes have been determined more by who didn't vote than who did, which is clearly a concern for the health of South Africa's democracy moving forward.

References

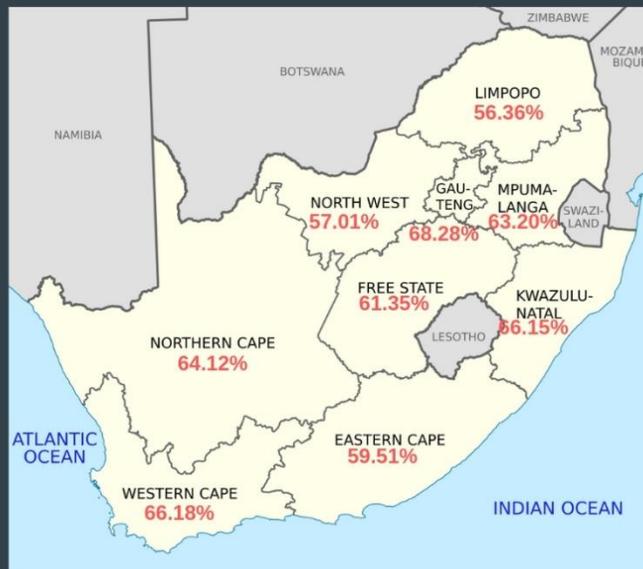
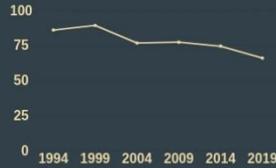
- Afrobarometer. 2016. In South Africa, citizens' trust in president, political institutions drop sharply. http://afrobarometer.org/sites/default/files/publications/Dispatches/ab_r6_dispatchno90_south_africa_trust_in_officials.pdf: 13 May 2019
- Anon. 2019. LIVE election results: Count in Gauteng finally also completed, ANC retains slim majority, *11 May the Citizen*. <https://citizen.co.za/news/south-africa/elections/2127774/live-election-results-count-in-gauteng-finally-also-completed-anc-retains-slim-majority/>: 13 May 2019
- Anon. 2019. IEC passes 90% election results capture mark, *10 May Eyewitness News*. <https://ewn.co.za/2019/05/10/iec-90-of-election-results-captured-by-friday-morning>: 12 May 2019
- Felix, J. 2019. Western Cape completes vote counting with da in lead, *10 May Eyewitness News*. <https://ewn.co.za/2019/05/10/western-cape-completes-vote-counting>: 12 May 2019
- IEC. 2019. Update on election results capture 10 May 2019. <https://www.elections.org.za/content/About-Us/News/Update-on-election-results-capture-10-MAY-2019/>: 13 May 2019
- Kahla, C. 2019. Elections 2019: These are the provinces with the lowest voter turnout, *10 May the South African*. <https://www.thesouthafrican.com/elections-provinces-lowest-highest-voter-turnout/>: 12 May 2019
- Morais, S. 2019. 2019 vs 2014: What the numbers tell us about the general elections, *12 May News24*. <https://www.news24.com/elections/news/2019-vs-2014-what-the-numbers-tell-us-about-the-general-elections-20190512>: 12 May 2019
- Mortlock, M. 2019. Lower WC voter turnout blamed on apathy, weather, *11 May Eyewitness News*. <https://ewn.co.za/2019/05/11/lower-wc-voter-turnout-blamed-on-apaty-weather>: 12 May 2019
- Nqola, R. 2019. ANC just manages to take Gauteng with 50.19%, *11 May Eyewitness News*. <https://ewn.co.za/2019/05/11/anc-just-manages-to-take-gauteng-with-50-19>: 12 May 2019
- Ngcukana, L. 2019. Rural voters are denied their mark as protesters shut voting stations, *8 May News24*. <https://citypress.news24.com/News/rural-voters-are-denied-their-mark-as-protesters-shut-voting-stations-20190508>: 12 May 2019

SOUTH AFRICA ELECTIONS 2019

VOTER TURNOUT

Total national voter turnout in 2019

65.99%



UNPACKING THE DOWNTURN

APATHY

More than 18 million eligible voters did not vote. Particularly young voters are not registering to vote.

TRUST

Disillusionment and low levels of trust in political parties. Corruption scandals, service delivery protests and party infighting all contribute to negative voter perceptions.

SMALLER ISSUES

Poor weather, security and protest concerns, long queues and voter station opening times and voting materials.



14 Park Road, Richmond
Johannesburg, 2092, South Africa
P.O Box 740 Auckland Park 2006
Johannesburg, South Africa
Tel: +27 11 381 6000
E-mail: melanie@eisa.org.za
www.eisa.org.za



The views and opinions expressed in these articles are those of the authors and do not necessarily reflect the official policy or position of the Electoral Institute for Sustainable Democracy in Africa (EISA) or the Embassy of Germany.

EISA gratefully acknowledges the financial support for this project from the Embassy of Germany in South Africa.



Embassy
of the Federal Republic of Germany
Pretoria