

Comparison of governance systems in South Africa and Namibia

South Africa and Namibia are two countries that share a colonial past and are geographically close to each other, which creates a strong similarity between them and makes a comparison of their political systems relevant and important in the context of understanding

the characteristics of the region and how historical factors and established institutions influence the state of affairs in the countries. Despite the similarity of the initial data and geographical location, each of the countries chose its own path to creating its state institutions and its own path to reforms and transformations. For 46 years, South Africa experienced a brutal apartheid regime, which ended in 1994 with radical constitutional reforms led by Nelson Mandela, which opened the door to a new era of democratic governance and civil liberties.¹ Namibia, in turn, having gained independence in 1990 after a long period of struggle against the domination of the South African government, successfully managed to maintain political stability as far as possible thanks to a centralised model of governance, which could be seen in the dominance of the SWAPO party. However, this has had a certain impact on the level of political freedom of citizens and on active civic participation in general. (2)

Both countries demonstrate the highest levels of democracy and freedom in the South African region and are among the highest on the entire African continent. According to The Economist Intelligence Unit (EIU), as of 2023, South Africa and Namibia are ranked 47th (South Africa) and 57th (Namibia), with scores of 7 and 6.5 out of 10, respectively.³ According to Freedom House, both countries are considered free, with scores of 79/100 (South Africa) and 77/100 (Namibia).⁴ Based on data from Freedom House and the EIU, it can be argued that the political systems of South Africa and Namibia are officially

¹ The Editors of Encyclopaedia Britannica. "apartheid." Encyclopaedia Britannica, 14 February 2025. [Apartheid | South Africa, Definition, Facts, Beginning, & End | Britannica](#)

² "The Namibian struggle for independence – 1966 – 1990 – a historical background." South African History Online, 15 June 2015. [The Namibian struggle for independence – 1966 – 1990 – a historical background | South African History Online](#)

³ The Economist Intelligence Unit. "Democracy Index 2023".

⁴ "Global Freedom Status". Freedom House. [Explore the Map | Freedom House](#)

democratic, but they also have certain features that may be characteristic of hybrid regimes. For example, thanks to a strong constitution and a fair judicial system, in 2016, the former president of the country, who used state funds for his own interests (the Nkandla case)⁵, However, the very existence of such an incident suggests that The problem of corruption exists, and data from Transparency International confirms that since 2016, South Africa has lost 4 points in the Corruption Perceptions Index.⁶ In Namibia, stability is ensured by a centralised model and the dominance of the SWAPO party, which to a certain extent affects civil liberties in the country. In the Freedom House ranking, the country scores 14 points out of 60 in this indicator. In terms of the Corruption Perceptions Index, it is 8 points ahead of its neighbour, but is also experiencing a decline in this indicator, from 53 points in 2018 to 49 in 2024.⁷

Constitution and judicial system

The Constitution of South Africa was adopted in 1996 and is considered one of the most progressive and detailed in the world due to its focus on human rights, democratic norms and social justice. It contains a very comprehensive Bill of Rights that guarantees equality, protection from discrimination and the right to access justice.⁸ The South African Constitution clearly defines the mechanisms of interaction between the branches of government, ensuring a balance between presidential and parliamentary powers, which creates a system of checks and balances that allows for effective control of the executive branch. One striking example of the effective application of constitutional norms is the Nkandla case, mentioned in the introduction, when in 2016 the South African Constitutional Court ruled against the president for the illegal use of public funds to renovate his private residence.

⁵ Allison, Simon. "Nkandla Verdict Shows South Africa's Democracy Is Alive and Kicking". The Guardian, 31 March 2016. [Nkandla verdict shows South Africa's democracy is alive and kicking | Simon Allison | The Guardian](#).

⁶ Transparency International "Corruption Perceptions Index". [Corruption Perceptions Index 2024 - Transparency.org](#).

⁷ Transparency International "Corruption Perceptions Index". [Corruption Perceptions Index 2024 - Transparency.org](#).

⁸ "The Constitution of the Republic of South Africa | South African Government". Ch.2 | South African Government. [The Constitution of the Republic of South Africa](#).

residences.⁹ A distinctive feature of the constitutional system of South Africa is a developed system of constitutional bodies to monitor compliance with the rule of law, such as the Public Protector, whose main goal is to protect democracy and its citizens. They investigate any behaviour by the government or other branches of power that is considered inappropriate or biased.⁽¹⁰⁾ South Africa also has a Constitutional Court, which is the highest judicial body in the country.⁽¹¹⁾

The Namibian constitution, which was adopted in 1990 after independence from South Africa, is also based on the principles of the rule of law. statehood and the protection of citizens' fundamental rights. However, when compared to the South African model, the Namibian version of the document has a more modest scope of human rights and places greater emphasis on ensuring stability and unity of the state. It provides for a republican form of government with a strong president who is the head of state, government and commander-in-chief. One of the features of Namibia's constitutional system is the absence of a separate Constitutional Court, which means that the country's Supreme Court acts as both the highest court of appeal and the constitutional review body, which already makes this court more overloaded.¹² In addition, when studying the issue of trust in the judicial system over the past 20 years, it was found that in Namibia, a larger proportion of people trust the president than judges, which may indicate that the country's judicial system is not in the best condition.¹³

Comparing these two countries, it can be said that although formally the judicial branches of power in both countries are independent, in practice the level of their autonomy differs significantly. In South Africa, the Constitutional Court has repeatedly demonstrated its independence by making decisions that conflicted with the interests of the ruling party. In Namibia, on the other hand, the judicial system often faces challenges related to

⁹ Allison, Simon. "Nkandla Verdict Shows South Africa's Democracy Is Alive and Kicking". The Guardian, 31 March 2016. [Nkandla verdict shows South Africa's democracy is alive and kicking | Simon Allison | The Guardian](#).

¹⁰ "Public Protector South Africa". The Centre of Excellence. <https://www.pprotect.org>.

¹¹ "The South African Judicial System". [The South African Judicial System](#).

¹² K Amoo, Sam. "The Structure of the Namibian Judicial System and Its Relevance for an Independent Judiciary". pp. 69-72 [The structure of the Namibian judicial system and its relevance for an independent judiciary1](#).

¹³ "The State of the Judiciary in Malawi, Namibia and South Africa | Court Users' and Judges' Perspectives". pp. 9–10. [The State of the Judiciary - in Malawi, Namibia and South Africa](#).

violation of the interests of certain officials. In addition, the Namibian judicial system also faces challenges related to insufficient funding of courts and the development of the judicial branch, which leads to frequent lengthy proceedings.¹⁴

Form of government

South Africa is a parliamentary republic with elements of a presidential system. According to the South African Constitution, executive power is formed through an electoral process in which the president is elected by parliament and combines the functions of head of state and head of government, with the power to appoint ministers, conduct domestic and foreign policy, and veto bills, making him an important figure in shaping state policy. However, thanks to control by parliament and the judiciary, a system of checks and balances is created that prevents the concentration of power in the hands of one branch of government. South Africa has a bicameral parliament consisting of a lower house (the National Assembly) and an upper house (the National Council of Provinces). For several decades, South Africa has been dominated by one party, the African National Congress (ANC), and despite the fact that fair and transparent elections are held in the country, such a long presence in power of the same people has led to a significant influence of party discipline on the work of the legislative branch, which in turn sometimes leads to parliamentary crises related to corruption scandals and internal party conflicts. In 2023, disputes within the ANC caused delays in the adoption of key reforms and ensuring the country's economic growth.¹⁵

Namibia, on the other hand, is a presidential republic with a centralised system of government, where the constitution provides for a strong executive branch with broad powers for the president, who is elected by direct vote and plays a dominant role in the country's political processes, including control over

¹⁴ "The State of the Judiciary in Malawi, Namibia and South Africa| Court Users' and Judges' Perspectives". p. 20. [The State of the Judiciary - in Malawi, Namibia and South Africa](#).

¹⁵Tsheola, Johannes, Mokoko Sebola and Malemela Mamabolo. "South Africa's "Triple Crisis of Governance" and Societal Leadership Vacuum". 30 December 2023. pp. 23-32 [SOUTH AFRICA'S "TRIPLE CRISIS OF GOVERNANCE" AND SOCIETAL LEADERSHIP VACUUM](#).

by the country's government and legislative process. Namibia's parliament is also bicameral, consisting of an upper house (National Council) and a lower house (National Assembly). Since independence, the country has been ruled by the dominant SWAPO party, which won the last elections in 2024.

In 2018, it also won a majority in parliament with 53% of the vote and 51 seats in parliament, as well as winning the presidential election, where the SWAPO candidate was victorious. In fact, Namibians have seen such results since 1990, and although the ruling party does indeed enjoy overwhelming support from Namibian citizens, there are challenges related to the lack of competitiveness in the electoral process and restrictions on judicial control over the executive branch. For example, in the last elections, the opposition forces raised concerns about how the elections were conducted and even appealed to the court to provide them with information about the elections for analysis. ⁽¹⁶⁾

Political stability in Namibia is higher than in South Africa, but this is only because power is effectively concentrated in the hands of one party, which reduces the number of unstable situations. However, this approach, in the absence of effective mechanisms for decentralising power, affects the effectiveness of decision-making and the lack of pluralism of opinion, which can lead to a lack of quality reforms.

Therefore, summarising the analysis of the forms of governance in these two countries, it can be concluded that South Africa has a much more balanced system of governance, which, although it may be subject to instability due to political strife, creates effective checks and balances and ensures a fair distribution of powers between the branches of government, unlike Namibia, where a centralised presidential model with a ruling party ensures political stability but limits the mechanisms of checks and balances.

Elections, referendums and other forms of citizen participation

South Africa has a proportional representation electoral system, through which South African citizens elect members of parliament. The National Assembly is elected through closed party lists, which is beneficial to smaller parties that can gain representation in parliament, but this reduces the accountability of MPs.

¹⁶ Angula, Vitalio. "Judges Say Namibian Opposition Parties Can Inspect Election Materials". Voice of America, 13 December 2024. [Judges say Namibian opposition parties can inspect election materials](#).

before the voters. Voters receive three ballots, the first ballot consists of a list of political parties competing for 200 seats in the National Assembly - this is the national ballot, the second ballot is regional ballot, which includes parties and independent candidates seeking to represent each of South Africa's nine provinces in the National Assembly. The legislators elected on the second ballot will fill the remaining 200 seats in the assembly, with each province allocated a certain number of seats based on its population. The third ballot is for the election of members of the provincial legislatures in each province, in which parties and independent candidates also participate.¹⁷ Elections are held every five years and are traditionally characterised by high voter turnout, although there is currently a downward trend in turnout; for example, the 2024 elections had a turnout of 58.6%, while the previous elections in 2019 had a turnout of 66%. This trend can be explained by internal problems in the country, arising in particular from conflicts within the ANC and citizens' dissatisfaction with the party's policies.¹⁸ Freedom House rated the last elections in South Africa at 82 points out of 100, and indicators such as "digital sphere", "electoral system and political engagement" and "human rights" were rated at 26/32 and 28/32 and 28/36 respectively, which are considered indicators of free and transparent elections. (¹⁹)

Namibia also has a proportional electoral system for parliamentary elections. The president is elected by direct vote, using a two-round system, i.e. if no candidate receives 50% + 1 vote in the first round, a second round is held. The National Assembly consists of 104 members, 96 of whom are elected by the citizens and 8 are appointed by the president. (²⁰) Traditionally, the SWAPO party wins elections in Namibia, both presidential and parliamentary. The effectiveness of Namibia's electoral system can be assessed as quite high due to the high turnout (76% in 2024), but after the last elections, where SWAPO almost lost its majority in parliament, almost

¹⁷ "Factbox-How Does South Africa's 2024 Election Work?" SWI swissinfo.ch, 29 May 2024. [How Does South Africa's 2024 Election Work?](#).

¹⁸ "Results Dashboard| 's 2024 National and Provincial Elections." [NPE Results Dashboard 2024](#).

¹⁹ "South Africa: About the Project: Election Watch 2024 Country Report| Freedom House". Freedom House. [South Africa: About the Project: Election Watch 2024 Country Report | Freedom House](#).

²⁰ "The Constitution of Namibia" Ch.7. [Namibian Constitution](#)

All opposition forces began to express their concerns about the fairness of the elections and logistical problems, as there were many problems with the delivery of ballots to polling stations. The case even went to court.

which obliged the opposition forces to be given access to electoral data.²¹ More than 30 years of SWAPO rule has effectively undermined the authority of the electoral institution among Namibian citizens and caused the country's population to doubt the fairness of this institution.

As for referendums, neither South Africa nor Namibia practise this type of civil expression of will in their countries. In South Africa, the constitution provides for the possibility of holding referendums, but they are rarely held.²² The last major referendum in the country was held in 1992 on the abolition of apartheid.²³ In Namibia, referendums are also provided for by law, but since independence, no referendums have ever been held.²⁴

Active civic participation is well developed in South Africa, as citizens see their active involvement in the life of the country as a path to a better future, and the authorities, in turn, encourage the public to engage in active, healthy opposition, initiatives from civil society organisations and digital participation. In particular, Freedom House confirms this with high scores in political rights (33/40) and internet freedom (74/100).⁽²⁵⁾ In Namibia, the situation is slightly different, as there is less room for civic activism due to the strong centralisation of power in the hands of the president and the SWAPO party.

SWAPO.

Territorial organisation of power

South Africa is a unitary state, and its territorial structure consists of three main levels: national, provincial and municipal. At

²¹ "Namibia Election: Opposition Candidate Itula Refuses to Recognise Poll Result - BBC News". BBC News. [Namibia election: Opposition candidate Itula refuses to recognise poll result](#).

²² "The Constitution of the Republic of South Africa| South African Government". Ch.5| South African Government. [The Constitution of the Republic of South Africa](#).

²³ "BBC Audio| Witness History| South Africa's Referendum on Apartheid". BBC. [BBC Audio| Witness History | South Africa's referendum on apartheid](#).

²⁴ "The Constitution of Namibia" Ch.7. Art.63. [Namibian Constitution](#)

²⁵ "South Africa: Country Profile". Freedom House. [South Africa: Country Profile| Freedom House](#).

At the national level, the parliament, president and government play a key role. they pass national laws and implement national policies. At the provincial level, South Africa is divided into nine provinces, each of which has its own legislative body and government that implement local policies on education, health care and economic development. At the municipal level level, local government is divided into three categories: metropolitan municipalities in cities with more than 500,000 inhabitants, district municipalities - associations of smaller urban and rural municipalities, and local municipalities, which are the basic administrative unit.²⁶²⁷²⁸²⁹ Thanks to the decentralised model, it is much easier to take into account the specific regional needs and solve problems locally, but such strong decentralisation also creates certain difficulties. For example, large provinces such as Gauteng, which is the economic centre of the country, receives significantly more funds and has developed infrastructure projects that help ensure the province's prosperity, compared to less developed regions, where economic indicators lag significantly behind the province of Gauteng, creating a picture of uneven distribution of resources and potentially leading to a divide between the centre and the periphery.³⁰ In addition, this model creates risks of financial instability and corruption.

Namibia, also a unitary state, has a much more centralised system of government. There, power at the central level, in the form of the president, government and parliament, has concentrated most of the power in its hands, thus maintaining control at the local and regional levels. Namibia is divided into 14 regions, each of which has its own regional council, which effectively coordinates the policies of the central government at the local level, without having a strong degree of autonomy. Local self-government has even less autonomy and mainly focuses its activities on resolving

²⁶ "The Constitution of the Republic of South Africa| South African Government". Ch.4| South African Government. [The Constitution of the Republic of South Africa](#).

²⁷ "The Constitution of the Republic of South Africa| South African Government". Ch.5| South African Government. [The Constitution of the Republic of South Africa](#).

²⁸ "The Constitution of the Republic of South Africa| South African Government". Ch.6| South African Government. [The Constitution of the Republic of South Africa](#).

²⁹ "The Constitution of the Republic of South Africa| South African Government". Ch.7| South African Government. [The Constitution of the Republic of South Africa](#).

³⁰ Department: Statistics South Africa. "Provincial Gross Domestic Product". Statistical Release № P0441.2. [Provincial gross domestic product](#).

infrastructure issues.³¹³² Under this model, Namibia manages to maintain greater stability and visible prosperity than South Africa itself, as well as ensuring the unity of state policy, but this significantly complicates the process of autonomous regional development, often leads to delays due to bureaucratic processes, and ultimately reduces the effectiveness of local government.

Conclusions

A comparative analysis of the governance systems of South Africa and Namibia has demonstrated the similarities and differences between these states, and explains how the historical context and institutions established in these states influence the formation of these differences and similarities. The main common feature in comparison of the countries is that both states have been able to consolidate and develop democratic principles and institutions, such as electoral processes, which are conducted regularly and meet international standards, albeit with certain difficulties. This has enabled them to achieve significant development and improving the well-being of citizens. Both South Africa and Namibia show some of the best results in terms of the development of democracy and civil liberties on the African continent and are quite high in global terms, as confirmed by numerous indices from international organisations. The main difference between them is that South Africa is a parliamentary republic, where parliament plays the leading role, in particular electing the president, who, however, also has considerable power, creating a quality system of checks and balances, while Namibia is a presidential republic with a strong president and government that concentrate most of the powers. Another key difference is the level of decentralisation and the degree of independence of the branches of government. South Africa has a developed system of local self-government, which ensures the flexibility of the governance system and allows local policies to be pursued in accordance with regional demands. Namibia adheres to a more centralised approach, in which the regions have limited powers and the presidential authority significantly dominates the other branches of government. With regard to the judicial branch, its independence and impartiality in South Africa is relatively stable and unquestionable. Furthermore, in South Africa,

³¹ "The Constitution of Namibia" Ch.5-7. Art.63. [Namibian Constitution](#)

³² "The Constitution of Namibia" Ch.12. Art.63. [Namibian Constitution](#)

Unlike Namibia, there is a higher judicial body that specialises exclusively in interpreting the constitution - the Constitutional Court. In Namibia, there are issues related to the influence of the executive branch on the judiciary and limited funding for the judicial system. The main problems in both countries are the continued dominance of the ruling parties over the past 30 years, which raises questions about the renewal of the political environment, even under conditions of fair elections. In summary, an analysis of the political systems of South Africa and Namibia shows that, despite their common historical roots, each country has chosen its own path of development, which is reflected in different models of governance, judicial systems and approaches to citizen participation in the political life of the country. Both countries have enormous potential for developing their own democracies and are already good examples of democracy, but the implementation of new reforms and the establishment of certain processes in these states could take them to a new level of development.

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