

WINNERS AND LOSERS:

**THOUGHTS ON SOUTH AFRICA'S 4TH
DEMOCRATIC ELECTIONS AND FUTURE
PROSPECTS**

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Policy Brief 61

August 2009

Published by the Centre for Policy Studies, an independent research institution, incorporated as an association not for gain under Section 21 of the Companies Act.

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Supported by (Royal Danish Ministry of Foreign Affairs -DANIDA)



INTRODUCTION

Strains resulting from efforts to develop democracy are starting to show in South Africa. Besides the competing views about what it is and how best to build such a democracy, many agree it has not brought the universal well-being that it was assumed would result. The once widely held view that when apartheid was done away with South Africans would live happily ever after, has now given way to bitter quarrels and endless marches about poor delivery of services. Fear also stalks the land in many communities as crime spreads and becomes an ever-present reality for increasing numbers of people.

Some groups have experienced an improvement in their life experiences, but others have lost jobs and have certainly not seen the benefits they might have expected. Confronting this reality will occupy the minds of the new government for the next five years.

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Far too many people in the white community are preoccupied with thoughts of what the best destinations would be to emigrate to as a result of what they perceive to be a government that is blind to their desire to be seen as South Africans entitled to protection from their government equal to that afforded any citizen. Other white individuals are simply fed up with being constantly viewed with suspicion resulting from a belief that all they possess are benefits they gained unfairly under apartheid.

Competing views about democracy abound; these were on display in the run-up to elections. These views can be found within the African National Congress (ANC) itself - there are those within the organisation who harbour doubts that democracy can be successfully built within an economic situation where capital accumulation continues to be in private hands. According to this view, a precondition for a lasting democracy is ridding the society of a powerful group of relatively few individuals with untrammelled control over considerable quantities of capital resources. The poor and working people, this view argues, should have a say in how capital is used. This view contrasts with another which posits that the monetary and fiscal policies pursued by government until now will not be abandoned. These are the policies which are sometimes criticised for further facilitating the consolidation of wealth in the hands of those who had it anyway.

Apparent too, in the actions many communities have resorted to, is the assumed role of the state. Central to the protests around poor service delivery is the idea that the state should provide all the public goods that communities demand. Often, it seems that many in these protests expect the state to provide such services as they demand free of charge. Organised labour groups also expect the state to protect existing jobs, by in effect subsidising failing firms

and initiating policies which will lead to the creation of more. Unemployment and thus poverty can be ended by the adoption of policies viewed as correct by the trade union movement.

CHALLENGES FACING THE ANC

The ANC went into the elections with problems so huge¹ many analysts concluded there was little chance the organisation would do well² let alone obtain the solid landslide the party achieved. Indeed, parties elsewhere where democracy is fully consolidated with problems such as the ANC faced shortly before the elections would have lost the elections³. It is to the credit of the organisation and the researchers on which the ANC placed considerable reliance that the party was not flustered by the widely shared opinions of experts suggesting the party was going to perform more poorly than in the past.

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The 66 per cent⁴ it obtained in the recent elections is impressive by any measure. The conundrum, however, is why so many voters gave their support to a party beset by so formidable a set of problems? Why did the very communities that had excoriated the service delivery performance of the ANC vote back a party which they have in many areas decided does not meet their expectations? **What** makes the ANC's victory even more of a mystery is that this time around ANC supporters had an alternative party to vote for, whose standing in opposing apartheid is just as impressive. The Congress of the People (COPE), one of the parties which opposed the ANC in the elections, was formed by leading former ANC members whose contribution to the anti-apartheid struggle is beyond question. The argument that there is no opposition party to which supporters of the ANC could turn was not correct this time.

The president of the ANC was facing serious criminal charges of fraud, corruption, tax evasion and racketeering. These were withdrawn under circumstances which were less than ideal; an officer of the prosecuting authority was found to have timed the court appearance of the accused to benefit the then president in his quest for re-election. This was found to have constituted a fatal abuse of the prosecution process, resulting in the withdrawal of all charges the ANC leader faced. In withdrawing the charges the head of the prosecution authority admitted openly that the substance of the charges had not at all been a factor in his decision⁵.

¹ Sparks, A lost, arrogant ANC needs a swift kick from the electorate, *Business Day*, 1 April 2009.

² Ratshitanga, Tshilidzi. Another view: this Is democracy of a special type, *Sunday Times*, 26 April 2009.

³ Pressly. D. Rogue politicians can win anywhere, but not Like Zuma, *Business Report*, 20 April 2009.

⁴ See *Sunday Times*, p 5, where the relative performance of the all parties is shown.

⁵ See an undated statement read by adv. Mpshe titled, Statement by the national director of public prosecution on the matter S v Zuma and others.

In the minds of many observers, the innocence of the accused asserted vigorously by the ANC remains unresolved and is sure to be raised in the future⁶. The independence of the prosecution authority has been sacrificed in the opinion of some commentators, who think it caved in, in the face of unrelenting political pressure⁷.

Factions within the ANC were all too evident in the lead-up to elections. Leading ANC members were unable to hide their hatred of colleagues they despised⁸. No prizes will be won for pointing out that Julius Malema, the ANC Youth League president, deeply dislikes Mbeki and those who supported him.

A matter that featured significantly in the factional skirmishes within the ANC is the use of state agencies to advance party political sectional interests. The Zuma faction has consistently argued that Mbeki used state agencies in his fight against Zuma. According to the head of the National Prosecuting Authority (NPA), the erstwhile head of the NPA was in cahoots with the head of the Scorpions to create the most propitious conditions for Mbeki by hauling Zuma to court at carefully selected moments ahead of the electoral conference of the ANC in 2008. Though the veracity of this claim has yet to be rebutted, a convincing case has been made in its support. It is significant that this is the only evidence available suggesting the use of state resources and agencies to fight ANC battles.

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No evidence has been made available yet suggesting the substance of the charges resulted from similar abuse of state agencies or machinations within the ANC, even though unsubstantiated suggestions abound⁹. With Zuma as president of the country now, the likelihood of this evidence becoming available has receded. Predictably, opposition parties were riled by this and indicated they were contemplating a private prosecution on the same charges that the NPA had withdrawn.

In what can only be a tit-for-tat abuse of state agencies, the Zuma faction relied on intelligence information to demonstrate the alleged abuse of power. How information collected by the intelligence services ended in the hands of Zuma and his legal team has, until now, been fudged. The law is unequivocal that private citizens are not entitled to intelligence information. Neither has it been explained if the tapping of the telephones of private citizens was, as required by the law, sanctioned by a judge. The law affords citizens' communication¹⁰ protection from the prying reach of the state. In the absence of explanations on the foregoing questions, the only conclusion that can

⁶ Sparks, A. At home and abroad: Lazarus-like comeback of a flawed, formidable fighter, In *Business Day*, 29 April 2009.

⁷ Kane-Berman, J. SA begins to feel the costs of capitulation, *Business Day*, 16 April 2009.

⁸ Mbalula, F. see his Open letter to Thabo Mbeki, available at <http://www.thetimes.co.za/PrintEdition/PDF?openlettertothabombeki.PDF>

⁹ Sole, S. Vindicated and loyal as ever, *Mail & Guardian*, May 22 to 28 2009.

¹⁰ See The Constitution Of The Republic Of South Africa 1996 Section 14 (d).

reasonably be drawn is that the Zuma faction is as guilty of abuse of state agencies to win its own battles in the ANC as is the Mbeki faction.

It is in a sense unavoidable that state agencies will be drawn into ANC factional fights¹¹. It is the ANC's oft-stated policy to deploy its cadres in the state without requiring cadres so deployed to refrain from factional divisions arising from the ANC. It should come as no surprise that the deployed cadres use resources (including their positions within state institutions) available to them to resolve what they perceive as political problems. In the case of deployed cadres who supported Mbeki's version of the argument, they obviously saw nothing wrong in using their personal influence to advantage their side of the argument. Similarly, Zuma's supporters acted in a manner consistent with what they perceived to be correct.

It should also be borne in mind that the policy of deployment rests on the view that cadres have a better understanding of politics. Emboldened by this assumption, cadres have proceeded to act in a manner consistent with what they perceive to be politically correct. It should be remembered that both factions are certain that their version of the argument accords with the best political interests of the ANC and the country. This, by the way, is not peculiar to the ANC; all factions in all political parties have been convinced they are correct and their opponents wrong.

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Abuse of state resources is thus an inevitable consequence of deploying party cadres into what are administrative positions. In doing so, the ANC has made no secret of the fact that they are deployed for their political savvy. The resulting politicisation of the civil service can only be curbed by professionalising the service. Besides the politicisation of the service, it is difficult to understand how the deployment of party cadres can co-exist with a system of appointing civil servants on merit. To get a professional service, politicising civil servants will have to be ended, a remote prospect given the ANC's strong adherence to the policy, even as the most revealing incidences of abuse have become apparent.

Similarly, the likelihood that the ANC will rid itself of factions any time soon is virtually non-existent. Factions are a basic fact of life in political parties, including the most centrally controlled parties. Within the ANC they are rooted in the very fabric of the form of organisation the party has maintained for decades. The basic requirement to be a member of the ANC is to accept the organisation's policies, the centrepiece of which is the Freedom Charter¹², a broad statement which permits competing interpretations. This is why avowed communists and business people can comfortably embrace party policies.

¹¹ Booysen, State institutions: sites of struggle In bruising war for control of the ANC, *Business Day*, 16 April 2009.

¹² Callinicos, L. Oliver Tambo: Beyond the Engeli Mountains, p 220. David Phillip, Cape Town 2004.

Factions have also been an integral part of the ANC since the organisation has maintained a formal relationship with the SA Communist Party (SACP) (and its predecessor organisation) and later with the two trade union federations, SA Congress of Trade Unions (SACTU) and Cpongress of SA Trade Unions (COSATU). These relationships have been marked by well-known differences in viewpoints. The SACP and COSATU maintain reasonably well articulated policy positions, which are not always capable of being reconciled with the ANC's preferences. Given the broad appeal of the ANC to all socio-economic groups¹³, nothing is fundamentally wrong with the ANC adopting policies which are consistent with a capitalist form of society.

In what has become a famous article, Mandela opined in 1956 that the Freedom Charter would make possible the development of black capitalists¹⁴, much to the consternation of the left-wing thinkers in the Alliance who have been upset about the capitalist impulses in the ANC and have consistently used this to show how vigilant they should always remain in relation to the ANC which, they argue, is prone to falling into nationalists' hands¹⁵. There was a time when the SACP suggested that the ANC formally adopt socialism and become a party of socialism¹⁶; in return the SACP would dissolve.

Mbeki, however, tended to do the policy work himself rather than have it done by the ANC.

The SACP and COSATU are determined to assert their policy preferences within the alliance and expect the ANC to embrace these, even though there might be no objective basis from sections of ANC membership to go along with those policy preferences. The resulting differences are huge and provide a steady source of tension and differences, leading inevitably to factions within the party.

Although it may seem that there is no break in policies that the new leadership under Zuma will pursue, in contrast to those followed by Mbeki, there are underlying currents which suggest that there are indeed considerable differences. In the main these can be found in the role the Alliance partners will be playing. Under Mbeki the autonomy and leadership role of the ANC in the Alliance was vigorously asserted, resulting in the policy-making role of the government being reserved for the ANC alone and not shared with Alliance partners, something which earned Mbeki the hatred of the leaders of those partners.

Mbeki, however, tended to do the policy work himself rather than have it done by the ANC. He either did not trust his colleagues to do the work as well as he could, or the only way he could be certain people he saw as part of a competing

¹³ ANC. Statement by the President of the African National Congress, Cde Jacob Zuma, to the closing of the 52nd National Congress of the ANC. Polokwane Limpopo 20 December 2007.

¹⁴ Mandela N. *Long Walk To Freedom*, p 205.

¹⁵ ANC. The Green Book; Report of the Politico-Military Strategy Commission of the ANC National Executive Committee, p3 of 13 August 1979 available at <http://www.anc.org.za/ancdocs/history/mk/gree-book.html>

¹⁶ Gumede, W. M. Thabo Mbeki And The Battle Of The Soul of the ANC, p 67.

faction were kept out was to centralise the work on himself. It is now clear that the views on HIV/AIDS he held were not ANC views but his own and possibly Dr Tshabalala-Msimang's. One of the criticisms of the GEAR policy is that it was a policy drawn up by Trevor Manuel and approved by Thabo Mbeki, with no input from the ANC.

Under the new leadership the three components of the Alliance will at least have an equal say in fashioning policy.¹⁷ This is already apparent in the consultation which has marked the selection of cabinet members and the fact that leading members of both COSATU and the SACP form part of it. The better organisational capability of the latter organisations relative to the ANC might, however, mean that in practice they play a dominant policy-making role. Both have shown that when they disagree with the ANC, they are not averse to resorting to actions such as strikes.

Mbeki was severely criticised for marginalising the Alliance in governance. This arose from his view on the role of the ANC relative to partners. Along the way, this criticism was embellished to include the fact that Mbeki is aloof, something that does not accord with publicly observed behaviour in which he interacted with a variety of people without any visible discomfort. Stripped of all the fluff, the core of the criticism was that he believed that the ANC was the head of the Alliance and should lead it.

Zuma, in contrast, will seek to concede a significant role to other members of the Alliance, even though he is¹⁸ likely to run into problems in trying this. The problems will arise from the well-known issues that are ultimately rooted in the assertion of the partners that their organisations are autonomous, with a right to pursue their programmes.¹⁹ Often, when the two partners in the Alliance assert this autonomy, they never concede the same autonomy for the ANC. If this was asserted anyway, it would lead to the same gridlock which was apparent when Mbeki asserted the autonomy of the ANC in the Alliance. Clearly, for the Alliance to work optimally one of the partners must hold back.

Before 1994, when the ANC was still engaged in the struggle, circumstances were different and tensions between Alliance partners could be contained with relative ease. There was a single overriding objective that the Alliance members shared - ridding the country of apartheid. Besides the broad aim of creating a non-racial future, they differed on the socio-economic arrangements that should replace those under apartheid.

The 2009 elections coincided with the worst economic environment since the ANC got into government. Jobs have been shed in their thousands and poverty

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¹⁷ Ngobeni, Wisani wa ka ANC at war with COSATU, 7 June 2009.

¹⁸ Gevisser, M. The Dream Deferred: Thabo Mbeki, pp 714-716.

increased, negatively affecting the very people the ANC has identified as its core constituency. Inevitably, one of the challenges the Zuma government faces is a recession, which will inevitably curtail public expenditure.²⁰ The mining sector, which for a long time has been a mainstay in providing jobs to South Africans, has suffered immensely in the recession. This has exacerbated an already serious situation.

Measures will have to be taken to shield the poor and working families from the ravages of a recession. These will have to go beyond the reduction of interest rates, which has been the response of the monetary authorities. Fiscal measures which go beyond tax breaks for low-income earners will also have to be adopted. It should be admitted, though, that even before the crisis hit, the government had embarked on an extensive stimulus package in the country in the form of investment in public infrastructure.

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South Africa has a stubbornly high rate of unemployment; some 32 per cent of workers are without jobs, and the economy has been unable to produce jobs for these people. Creative counting of unemployed individuals has not masked the crisis of unemployment in the country. Official statistics present a less harsh view of unemployment than is in fact the case, by drawing a distinction between those currently seeking employment and those identified as 'discouraged' job seekers. Even with this spin on the question of joblessness, the figure remains high.²¹

In an attempt to resolve this problem, the government initiated the public investment programme, which has come in very handy in the prevailing economic environment. With the increase in unemployment resulting from the current economic woes, the problems the government sought to solve have been compounded. Something beyond public investment in infrastructure must be found. In his maiden State of the Nation address, Zuma committed his government to creating 500 000 jobs in this year.²²

Government is also spending large sums on social security.²³ By one account, some 13 million people are receiving some kind of assistance from government. This has shielded poor people from extreme poverty. The problem with it, though, is that only 5.5 million individuals contribute to the fiscus via taxes to finance growing social security expenditure. Creating jobs is the only sustainable way in which people can be weaned from social security. More jobs are also likely to come with increased taxes to shore up the ability of the government to finance social security expenditure.

²⁰ Isa, M. Recession looms large as retail sales plunge 4,5%, *Business Day*, 16 April 2009.

²¹ Musgrave, A. Parties target unemployed and poor for votes, *Business Day*, 31 March 2009.

²² State of the nation address by his Excellency JG Zuma, president of the Republic of South Africa Joint Sitting of Parliament, 3 June 2009. Cape Town.

²³ Abedian, I. and Ajam, T. Fiscal policy beyond 2008: prospects, risks and opportunities, pp 88-89 in Parsons, R. (ed) *Zumanomics Which way to shared Prosperity in South Africa Challenges For A New Government*.

A bizarre development in view of the unacceptably skyrocketing rates of unemployment is this: the new administration has capitulated to a wave of illegal immigrants by giving Zimbabweans a right to enter South Africa and seek temporary employment. Equally confusing is a turnaround in the attitude of government which has now said it is reviewing its decision.²⁴ Sudden changes in policy over so short a period of time lend credence to the view that government simply does not have a policy on critical issues; ministers do as they please. With high rates of unemployment among locals most people would have expected the government to protect workers (especially the unskilled) from competition in the labour market.

Besides, how the government is going to distinguish an individual from Zimbabwe from one from elsewhere, is not clear. As a result of the economic collapse, the Zimbabwean government does not have the means to secure its own borders, nor does it know who is in the country. Government services in Zimbabwe have broken down to the point where the government is unable to purchase paper to print passports. The only way to identify whether indeed an immigrant is from Zimbabwe would be to find out from that immigrant. It is ludicrous, in a country with a serious crime problem, to open borders to citizens of other countries without checking to ensure that criminals are kept out.

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In effect the move to allow Zimbabweans to seek employment in SA amounts to inviting all. The result is that the population of South Africa should grow significantly in the next while, well beyond the limits of natural population growth. Unemployment as well as social security expenditure will grow concomitantly. It is uncertain if tax collection will follow this pattern.

Attracting new investments to create the jobs that are needed is a topic which has received less attention from the new administration than should have been the case. This contrasts sharply with well-articulated measures to protect organised workers, which have received a mention in the ANC manifesto, but no concomitant measures to increase investment have been outlined except to argue that the public sector will increase its investment. The new government's thinking in this regard is consumed by what the state can do to get the economy moving. The election manifesto is brimming with what the state will do to fix economic ills.²⁵ A view that has been embraced by all in the ANC is that the introduction of a developmental state will somehow resolve all economic growth problems.

What is not clear is where the money to fund the investments to grow the economy will come from. Surely even the most state-centric view of economic growth has to appreciate that the source of income for any state is tax receipts. The assumption that tax receipts will keep rising will be shown to be wrong in

²⁴ Johwa, W. Rethink on special visas for Zimbabwean migrants, *Business Day*, 9 June 2009.

²⁵ See. 2009 Election Manifesto.

www://anc.org.za/show.php?doc=elections/2009/manifesto/manifesto.html&title

the current period, when profits from companies are bound to be subdued as a result of the recession. A self-serving view of the state should therefore be to support those who pay taxes even though in the long term the intention might be to displace them with state-controlled enterprises.

All the ANC appears to think should be done to allay the fears of investors is to keep pointing out to the investing public that macro-economic policies pursued in the past will be maintained. This, the ANC continues to say, even as its Alliance partners argue economic policy, will change under the new administration. Undertaking travel abroad to repeat this basic message in London and New York is another approach the administration has invested considerable energy in to reassure investors.²⁶

Some opposition parties, too, were convinced the ANC was vulnerable and that they could do very well.

Despite a well-known sentiment among many white people and investors, the new administration continues to insist it will stick to affirmative action and the black economic empowerment (BEE) policy.²⁷ Within government, there appears to be a belief that continuing this policy strengthens the overall position of investors. In fact the ANC has at times identified enduring racially skewed distribution of wealth and asset ownership as a key economic problem that requires resolution. It bears mention that in the Election Manifesto the ANC mentions both BEE and the much-preferred idea of broad economic empowerment, a concept beloved of those who are opposed to the racial exclusivity of BEE. Occasionally, both COSATU and the SACP have preferred this latter concept as it allows them to de-emphasise the wealth that has in fact passed into black hands under the guise of BEE.

MAKING SENSE OF THE ELECTORAL OUTCOMES

Confronted with huge and seemingly insurmountable problems on the eve of elections, many observers assumed it was impossible for the ANC to do well in those elections. Some opposition parties, too, were convinced the ANC was vulnerable and that they could do very well. COPE leaders even toyed with the idea of garnering enough votes to become the official opposition, or even displace the ANC as government.

As is now well known, voters gave the ANC a resounding victory. Although problems were experienced in some voting stations - where shortages of ballot papers²⁸ occurred and ballot boxes were filled with ballots before everyone had cast their votes - there were no real objections from opposition parties, apart from minor protestations, a reliable indication that they viewed the outcome as reflecting the will of voters. There were other problems of outright intimidation

²⁶ Staff Reporter, Phosa tells Brits no left turn for SA, *Sunday Times*, 3 May 2009.

²⁷ State of the nation address, 3 June 2009.

²⁸ Ensor, L. Shortage of ballot has parties riled at 'lapse' In preparation, in *Business Day*, 23 April 2009.

affecting COPE.²⁹ In some areas ANC members resorted to making it impossible for COPE to hold rallies, by either booking halls for times they knew were due to be used by COPE, or simply sending strong men to physically ensure a COPE election meeting did not take place.

In the wake of the performance of various parties in the election, some people have concluded that a message from voters is that they prefer competition between two³⁰ or maybe three parties: the ANC, the DA, and possibly COPE. In support of this contention calls have now been made for opposition parties to hold a high-level meeting to hammer out arrangements to co-operate in future³¹ in order to compete effectively with the ANC. The underlying assumption is that if all opposition parties pooled their support, this would result in all supporters of opposition parties casting their vote in support of such a party.

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This view is erroneous for a variety of reasons. No evidence has been advanced to support the contention that a merged opposition party will enjoy the support of all who voted for individual opposition parties. The merger may even benefit the very party against which it is intended. The only thing there is to support the view of a merged opposition is a knee-jerk reaction from leaders of parties that heavily lost support. The least that can be done to convince the public that a party of this kind is necessary, is to ascertain the view of the electorate.

Such a party, were it to be formed, is also not immune from the squabbles which have bedevilled many smaller parties, chief among which is the Pan African Congress (PAC). The big and at times egotistical personalities leading the various smaller parties would be a complex problem to manage, even by bigger parties with considerable resources. These may prove fatal for a small party made up of several parties. Some of the differences among smaller parties are unbridgeable. The religious base, to take one example, of the African Christian Democratic Party (ACDP) and the secular ideas of parties such as the United Democratic Movement (UDM) may prove impossible to overcome.

What the message from voters seems to suggest is that support bases of parties built in the past persist. This was by far the most critical factor determining the level of party support in the 2009 election. Except for COPE, which contested elections for the first time, only parties with long-standing support in constituencies have fared well. Another plausible suggestion from the electoral victory of the ANC in the wake of the formidable challenges it faced is that the level of support indicates the party's natural share of the vote in society.

Since 1994 electoral support for the ANC has varied between 62 per cent and 70 per cent in the 2004 elections; an amazingly stable variation, which is a rarity in

²⁹ Prince, C. Dandala escapes political brawl, *Sunday Times*, 22 February 2009.

³⁰ Mkhabela, M. Opposition's failure could herald change of strategy, *Sunday Times*, 26 April 2009.

³¹ Johwa, W. De Lille urges minority parties to unite for 2011 municipal elections, *Business Day*, 24 April 2009.

democratic societies. Volatility in electoral support is normal and is driven by fast-changing fads, as well as by real issues facing society. Though the issues clearly changed in the last five years in South Africa, ANC support has remained incredibly steady. In the final year of the Mbeki administration, the rate of change in the political landscape quickened, but did not affect the ANC's electoral support.

More research is required; a tentative conclusion could be that a great deal of this support is drawn from the African component of the population. There is reason to believe the ANC heavily relied on constituencies from which it has historically drawn support. Some observers have suggested that South Africans continue to be enamoured of the party that they perceive brought them freedom. As a corollary, vast numbers of voters appear to think the ANC can do no wrong. Herein lies the explanation for the electoral pole position of the ANC. The overwhelming majority of people with a reason to be overjoyed at liberation are Africans. After all, they had the worst end of the bargain under apartheid. The ANC knows this and has worked hard to retain its dominance in that section of the population. The theoretical underpinning of the National Democratic Revolution, the ANC's stance³² that liberation must specifically seek to liberate the African majority in [articulate, and blacks in general, comes in handy in defending the hold the ANC has established over the majority of the population.

There is reason to believe the ANC heavily relied on constituencies from which it has historically drawn support.

Any party seeking to challenge the dominance of the ANC will have to succeed in this community to stand any chance of overall success. No other party is prepared to concede as much to this community as the ANC has. The high level of support for the party partly reflects this reality. It will thus take a Herculean effort to dislodge it from the massive support it enjoys.

A compelling conclusion, especially in view of the tsunami of problems facing the ANC before the elections, is that the party has a core constituency from which it draws support. The reasonably stable electoral support over 15 years surely suggests that this core constituency was unfazed by the party's performance in government. This is the only reasonable explanation why in the midst of perhaps the most formidable problems the organisation has ever faced, it continues to retain support.

So, too, the DA, except that the latter tried harder to reach out to communities in which it has historically not enjoyed support in the past. The level of support the party received exceeded its natural support. This is crucial, as it suggests that with concerted work, parties can marginally break out of their natural share of the vote. The DA is clearly the party of choice among white South Africans; it has held on to the support of the old Progressive

³² ANC. Strategy and Tactics which can be found at the ANC site. www.anc.org.za

Federal Party (PFP) and has successfully attracted National Party (NP) voters. It has made steady inroads into the coloured vote,³³ especially in the Western Cape, where the NP made impressive strides from 1994 until its demise. It is in this latter constituency that the party worked the hardest and smartest to gain the upper hand. It displaced the Independent Democrats (ID), which was in the process of building a reasonable support base among coloured voters in the region.

The range in the electoral support of the DA has been reasonably stable too. It has ranged from 10 per cent to 16 per cent over 15 years. With the NP no longer around, the support of the party should naturally stabilise at higher levels than it received when the NP was active. The only factor which could militate against this stability is emigration, which tends to affect the white community more. The 16 per cent the party received is about the ceiling of its natural support. Of course this does not suggest that the ANC ignored communities other than the African community. Obviously the party campaigned among communities in which it has not enjoyed high levels of support, but not as hard as the DA in communities in which it has enjoyed limited support. It should be remembered the ANC has an organisational presence in many communities, including those of minority groups. The Lenasia branch which, though racially heterogeneous, has a sizeable Indian membership, won prizes as the best functioning ANC branch on more than one occasion. The ANC maintains a small but active branch in Groenkloof, a middle-class suburb of Pretoria. Racial heterogeneity is also true of Groenkloof.

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Further, longstanding ANC members from minority communities have continued to support the ANC but seem to have been unsuccessful in extending the support of their party into their communities. The support the organisation received among people from minority communities could be improved considerably, allowing the party to sustain the upper levels of support in its natural support. A lesson from these elections, therefore, is that continuities in electoral support for parties are a more plausible explanation for how certainly the two best performing parties fared. This conclusion is supported by the collapse in the support of small parties, which in any case had drawn sustenance from the floor-crossing legislation and the personalities leading them. More research on the comprehensive collapse of small parties in these elections is required.

To compete effectively, it stands to reason that parties without any historical support in communities must cultivate support from voters who identify with parties which attracted significant voter support. They must devise strategies to guide them in attracting voters who are already committed to the party they support. The idea that there are voters waiting to be persuaded to vote for any

³³ Friedman, S. Small, telling signs that ANC would be foolish to ignore, *Business Day*, 24 April 2009.

party that catches their fancy has been exploded as a myth by the outcome of the latest election.

Natural share of the votes

This idea of natural support derives from the narrow range polled by both the ANC and the DA (and its predecessor) over time. It is not fortuitous that electoral support for these two parties has held steady during this period. The explanation must lie in the natural support they command in constituencies from which they have drawn support for a long time.

Incidentally, other parties with an historical presence in constituencies that predate the fall of apartheid, retained what could be their natural share of the vote. Both the IFP and the FF Plus represent constituencies which are not a creation of the post-1994 political arrangements, and their levels of support are indicative of the support they enjoy in the community.

Parties which were created after the first non-racial elections have competed, in effect, for a small and declining proportion of a floating vote, if you like. When issues were posed as sharply as they were in this election, many of the floating votes swung to one or the other party with a longstanding presence in the community. In doing this those voters indicated their enduring preference for a particular party.

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Though research should be conducted into this, persisting racial identities help to explain the pattern of voting which was evident in the elections. The clearest indication that these voting preferences were rooted in race is shown by the excellent performance of the DA in special votes cast by South Africans abroad. Without knowing the racial identities of those who voted abroad, it is certain that any analysis will reveal that the overwhelming majority of them were white.

Even as they persist, racial divisions are on the mend in the country. Support for parties which identify themselves in narrow racial terms (or other irreducible forms of identity) is marginal. Major parties agree that the future of the country lies in non-racial outcomes. The commitment and practice among parties in working to realise this sentiment is, however, clearly uneven. A consequence of the racially defined voting behaviour is that parties that benefit from it may not have the incentive to work harder at changing the racial geography of the country. It would take an admirable commitment to a non-racial future for the ANC, for example, to work to break the voting behaviour from which it so clearly benefits.

The record of the party in working for a non-racial future³⁴ established over many years has been questioned. The ANC's approach has not shown the boldness necessary to heal the gender divide. Whereas the party has used innovative measures to attack male domination in society, it has merely reversed the domination by Afrikaners in public life and put Africans in their place. The process is not dissimilar from that which the NP pursued in the wake of their victory in 1948, when they embarked on a wholesale replacement of English-speaking whites in civil service by Afrikaners.³⁵ The ANC has been united in its support for measures to promote black people, among whom it has privileged the African majority, even as individuals from the white community have protested at what they argue is reverse discrimination. Note should be taken that ensuring representation of blacks in the higher echelons of public life is an imperative the ANC could not have avoided after the apartheid nightmare, where the only concern was to build a white-only public service. But the ANC might have gone so far as to start undermining its own commitment to a non-racial South Africa.

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An example that is crying out to be cited is that of maintaining a bias towards Africans for a party that professes non-racialism; except for one individual, the top leaders of the ANC since the party was unbanned have all been drawn from a single racial group. This may reflect the ideas of the delegates at ANC elective conferences, but it is hard to accept that talent among members of the ANC who are not African cannot be appreciated by delegates on so sustained a basis. Apologists for male domination in the ANC have not even been allowed to hide behind tribal cultural explanations - which the ANC has carefully to show respect for - in their quest to retain male dominant positions in society. Attitudes toward race have been very different. Some who project themselves as friends of the ANC appear to reject the non-racial principle espoused by the party for so long.

In the DA's case, the laudable measures, cancelled out by a failure to find women of talent to appoint to the Western Cape Cabinet, that were taken to break into communities other than their traditional fishing grounds, may be explained by the open desire that many whites express to emigrate. If this wish comes to pass, there soon may not be enough voters in that community to sustain support for the DA at current levels.

³⁴ Mandela, N. *Long Walk To Freedom*, p 433. In his moving testimony to court while facing treason charges Mandela, as one of the leaders of the ANC, was unwavering in setting the organisation's commitment to a non-racial future for SA.

³⁵ See Wilkins, I and Strydom, H. *the Super Afrikaners*, Chapter 8.

Implications of the electoral outcomes for COPE

It has often been suggested that the ANC has established so tight a grip as a dominant party that it will take the ANC itself to fail in elections. This has been said in the context of a split in the ANC - that it will take a splinter party to remove the ANC from office in elections, particularly in view of the poor performance of competing parties. Maybe the paucity of democracies in Africa in which there is a regular change of parties has something to do with it too.

Whether COPE is the party that signals the unravelling of the dominance of the ANC will depend on the steps the party takes in the immediate aftermath of the elections. COPE could lose its composure as a result of intimidating and tough talk from ANC strongmen. Alternatively, the party could steady itself and build a durable organisation capable of a good to reasonable showing in elections.

One thing that has been shown to be a non-starter, and which will not wash with voters, is digging up dirt on the ANC. The moral and ethical rectitude of leaders of political parties is not as big an issue among South African voters as it appears to be in other electoral jurisdictions.

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COPE has the opportunity to set a new standard by fighting elections on substantive issues. It may take a while for policy messages to sink in, but they will in time. No community can forever take the high crime levels that South Africans are subjected to. Nor can strikes and marches, in which the entire community faces severe disruptions, inconvenience and outright violence at times, be tolerated forever.

COPE holds the potential to still lead the country to the realisation of the prediction that it will take the ANC to defeat the ANC in elections. Its significance rests in the fact that it is an offshoot of the ANC and can thus with credibility share with the ANC a feature about which ANC supporters appear to especially care, namely that the ANC brought freedom to South Africa. COPE obviously played no role in the liberation process in SA, but leading lights in the party did participate in the struggle over many years.

Were it to be shown at a later stage that the votes it received came in the main from ANC supporters, this would be a huge boost for COPE. It will show what the possibilities are; it will indicate to the leaders of the new party where they should direct their energies in seeking to build a constituency. Besides seeking to cannibalise the ANC, COPE has an opportunity to build a party with support among all the country's peoples. The party can break the mould of support for parties resting on identities rather than ideas.

To succeed, however, COPE must carefully weave the credentials in the struggle for liberation of the admittedly few individuals in its ranks with a

history in the struggle into the mythology of their party. In doing this they must take careful notes from the ANC, which has successfully grafted many individuals with no track record in the struggle into the traditions and aura of the party. These individuals are assumed by the public to be as steeped in bringing liberation as any member with direct experience.

Contrary to suggestions by critics that COPE must strive to differentiate itself from the ANC, it must carefully select parts of ANC identities for incorporation into itself. In doing so, it must obviously select those aspects of the identity which have helped the ANC to be the dominant electoral machine it is. Given continuities in electoral support predating 1994, this appears to be the only way in which a significant share of votes can be won by a party without a long history of connection to a constituency. The majority of voters have clearly indicated they care about the role parties played in the past.

In practice this means that COPE must work on those parts of its identity which it shares with the ANC, rather than focus on differentiating itself from the ANC, as argued by some observers. It must work to claim, as it has already done in selecting a name associated with the ANC, some sort of a liberation identity. This task should not be overly complex for the party, as factors which support the dominance of the ANC are known. Part of what the ANC has done in constructing its dominance has been to project itself as an instrument of the people, with programmes it pursues as belonging to the people and not exclusively to the ANC. It is unlikely that any party will ever replicate the life-long commitment to liberation that individuals like Mandela, Sisulu, Tambo and Slovo, leading symbols of the ANC, have displayed. But Lekota and, to a lesser degree, Shilowa, have also been in harness for a substantial length of time. And COPE strategists should build on this.

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In appropriating aspects of the character of the ANC, COPE could argue - with considerable backing from the literature - that it is appropriating nothing that is exclusively owned by the ANC but by the people of South Africa.

An invaluable factor in the effective armoury of identity of the ANC has been its success in appropriating to itself the notion that it alone introduced liberation to the country. Competing groups with a history of a role in the struggle for liberation have been totally eclipsed on this issue. So COPE should carefully study why other groups failed in their claims that they too brought liberation to the country, a fact that is not in dispute. COPE should not find this overly complex to unravel; after all, some of its leaders contributed to fashioning the success of the ANC in laying exclusive claim to symbols of liberation.

All this assumes COPE is not a flash in the pan but a long-term proposition offering voters a serious electoral alternative. With time and the correct

approach, it should not be impossible for the party to mount an effective electoral challenge in future to the dominance of the ANC. If after engaging in the requisite work COPE is unable to challenge the ANC, then there is a deeper problem in societies dominated a by a single party that is perceived to have introduced liberation. The future of a politically competitive democracy in South Africa, and indeed other countries in the region, in which a single party is perceived to have introduced democracy, is bleak. It would mean democratic alternatives to dominant parties are non-existent. This scenario is improbable; there must be a democratic way in which parties of liberation can be challenged and, indeed, changed.

Obviously some distinguishing features must be thought through as well. Any strategy which seeks to clone the ANC will surely fail. Why would voters bother voting for a clone if the real thing is available? Incorporating aspects of the ANC's identity, and lavishly cloning COPE into an ANC, are different propositions. The distinguishing features that COPE leaders might want to consider may be the detail of policy, although evidence suggests voters did not seem to think the detail matters all that much in the choices they made in the recent election. If it did, the ANC would have been in trouble.

COPE should take comfort in that nothing in the voting behaviour of South African voters indicates they are impervious to reason.

COPE should take comfort in that nothing in the voting behaviour of South African voters indicates they are impervious to reason. It is reasonable for voters with still vivid memories of apartheid to be suspicious of parties without a track record in defending the democratic rights of the majority. Some individuals who speak bravely and eloquently in support of democracy now, never lifted a finger in anger against apartheid then, choosing instead to work within its bosom and offering mild criticism. The reluctance by the majority of voters to support parties with no track record in defending democracy is therefore understandable.

Once taken away, democracy is hard to regain, even from tyrants who may objectively look weak. The preponderance of numbers among the oppressed was no guarantee that blacks under apartheid would easily fend off attacks on their democratic rights against threats from well-organised groups. Zimbabweans will attest that they are reeling from the results of a weak tyrant presiding over an economy that has been weakened to a point that it cannot for long continue to support Mugabe. But as that case illustrates, weak tyrants are not a pushover either.

From the vantage point of the present, it is difficult to build a party that will give the ANC a run for its money. COPE leaders and supporters obviously think it is not impossible to mount a credible challenge to at least achieve a truly competitive electoral contest in the future. Even if it does not win elections in the next while, a good democracy requires that the dominant party increases its

accountability to the electorate, something that is only achievable in an environment in which there is a credible and stiff opposition at the polls. If there is a realistic possibility that elections can be won by an opposition party, experience elsewhere shows, so much the better.

One version of co-operation among opposition parties argues that COPE should join as a partner in the DA-led government in the Western Cape. COPE has correctly turned this down and in the short term its members will be cut off from government power, and possibly largesse, but in the long term democracy may benefit immensely. If COPE had joined that government, this would have raised questions about the basis of the party's claim to being a party of liberation. Joining the DA government would in all likelihood be perceived by constituencies that support the ANC as capitulation, and would limit COPE to fishing in a smaller pond in which the DA and other smaller parties fish.

One version of co-operation among opposition parties argues that COPE should join as a partner in the DA-led government in the Western Cape.

To stand a chance of transforming electoral politics into truly competitive contests, rather than rituals to confirm what is common course, COPE must gear itself to compete with the ANC. It must find ways to tackle what is now the ANC's unassailable position at the top of the pile. The reality should be faced, though, of the ANC's vice-like grip on constituencies from which it has drawn support regardless, it appears, of various problems facing the party. The ANC's immense power as an electoral machine has not impressed in the Western Cape, where the party has consistently failed to gain a majority to govern the province since 1994. This sustained failure to present itself as electable in the Western Cape is a vulnerability which is unlikely to be lost to the party's opponents.

Implications of the election outcomes for the ANC

In other provinces the support level of the ANC has been volatile, swinging widely from one level to another. This volatility must be explained by the preparedness of voters to vote for one party at a national level and another at a provincial level. To the delight of the party, a failure to win an outright majority has been corrected in KwaZulu-Natal.

While COPE holds the promise of bequeathing South Africa a competitive political contest in the future by increasing the accountability of the governing party, the ANC is not, nor should it, be expected to roll over. Any party that seeks to compete with the ANC for office should expect a formidable electoral response. After all, with all its warts, the ANC is unlike any old liberation movement - like many in the region - which have resorted to intimidation and downright undemocratic means to shore up their dominant positions in society. Unlike ZANU, which has descended into the cesspit of tyranny, the ANC runs a vibrant democracy in South Africa in which dissent flourishes. Speaking at his inauguration, President Zuma confirmed that dissent is welcome in the country.

The media is full of opinions that are not friendly to the government, something that is not tolerated in countries of the region in which a former liberation party leads the government.

As the past four elections have indicated, the ANC has extensive popular support, something Zanu PF will be unable to demonstrate. Even with the many problems the party has experienced, it has not lost the confidence of the majority of voters. Opposition parties, some of which were tough in their opposition to Zuma during the elections, were correct to accept him as a president who represents all the people. This indicates the success South Africa still continues to experience in the ongoing process of consolidating democracy. Opposition parties enjoy considerably more room in which to associate and propagate their views than in any other country in the region. Helen Zille, a feisty opposition leader, still cannot show the physical scars Morgan Tsvangirai bears from opposing Mugabe, even as groups allied to the ANC threaten to make it impossible for her to govern in the Western Cape, the only province to have been won by an opposition party.

Cynics will argue this is because the DA poses no real threat to the ANC and this accounts for the latter's tolerant attitude towards them.

Cynics will argue this is because the DA poses no real threat to the ANC and this accounts for the latter's tolerant attitude towards them. This may be the case, but it cannot be denied that there is a deeper, albeit uneven, commitment to democracy and the constitution within the ANC. By their actions and utterances, leaders of the ANC Youth League (with the YCL and the uMkhonto we Sizwe Veterans Association in tow) have left the public with an uneasy impression that they will uphold the injunctions of the constitution, weather conditions permitting. The response of the ANC toward the excesses of the Youth League et al has invariably been to either distance the ANC from these or express outrage, nothing more drastic than this. This limp-wristed response has also given rise to concern among many citizens, some of whom are supporters of the ANC.

Even with the dominance of the ANC, the limited term in office of the country's president has helped create conditions in which the country is not stuck with an individual who might think he is God's gift to his country. Prospective tyrants will have a harder time ensconcing themselves in power, given the limited period they can be in office to do damage. Mandela set the bar very high for local budding dictators.

To its credit, the ANC agreed to this limitation of the term of office during the negotiations, and more importantly, the party has never suggested it wants to change this provision were it to receive the majority required by the constitution. The ANC has shown commitment to respecting the limitation of the period during which any individual can remain president of the country.

Fortunately, there are enough ambitious people in the organisation who also want to try their hand at leading the country.

The party must now do the logical thing and write this into its own constitution to block any future leader harbouring illusions of grandeur. Someone else is bound to try; after all, Thabo Mbeki tried unsuccessfully to assume leadership of the party for a third term. While the limitation of time does not by itself create democracy, it is indispensable in saving the country from a Mugabe or Nujoma-type individual who may arise in the future.

The lack of unity and the diffused organisation which is a characteristic feature of the ANC also contributes to promoting competing preferences within the party and hence democracy. To many observers, this diffusion is a source of confusion about policies emanating from the ANC. It creates uncertainties about the policy trajectory the party will pursue, but it simultaneously has been a buffer against the slide to dictatorship so apparent in liberation movements in the region. This inclination to dictatorship feeds on the centralisation of power within these organisations.

Respect for civil and political liberties is a reality which distinguishes South Africa from the region.

Respect for civil and political liberties is a reality which distinguishes South Africa from the region. The ANC has consistently maintained a set of political arrangements which have guaranteed these. In this respect, the record of the ANC is unequalled in the region, where liberation movements have shown reluctance to separate state from party. Although disturbing impulses are evident at times, which suggest sections within the ANC have difficulty distinguishing state from party, South Africa remains far from the point at which the country can tip into the Mozambican model.

Civil society groups in South Africa remain robust, albeit distorted. A key problem with civil society in this country is that it is dominated by big and relatively well-organised organisations such as COSATU and the SACP, which are in a formal alliance with the governing party. On account of their relationship with the ANC, they can, and often have, two bites at the cherry of policy debates. They are free to debate issues as part of the Alliance, and when they fail to get their way they can embark on extra-parliamentary actions which can be disruptive to the business of citizens.

The preferred mode of protest employed by big civil society groups allied to the ANC have set a bad precedent too; they have etched in the minds of people that protest must invariably entail chaos and drive fear down the spines of the hearts of the community. These methods have been adopted by several others. Groups such as taxi associations demonstrate a dangerous incapacity to appreciate the right of commuters to choose their mode of transport. Their general behaviour too borders on the criminal. They have often embarked on protests with

predictable consequences for members of the community. Physical harm has been caused to members of the public during taxi protests, and streets in which protests are held cannot be used by the community without risking grave harm at the hands of armed protesters.

In fact, several groups in civil society are wont to cause uncalled-for chaos and injury at times by, for example, embarking on strikes which result in violence. A common occurrence in the many and seemingly endless community protests at poor service delivery, is that motorists, with no involvement in the matter about which communities are protesting, are prevented from using public roads.

One consequence of this civil society activism has been to place a welcome limit on the power of government. But it causes unnecessary fear among citizens and creates propitious conditions for criminals to add to the misery of the community. These methods of bringing dissatisfaction to the attention of the government cast doubt on the ability of civil society to flourish without the use of tactics that have diminished democracy in the community. It appears that civil society obtains its demands by intimidating members of the community.

So, while civil society has been successful in limiting state power, it has not been unproblematic in diffusing power.

So, while civil society has been successful in limiting state power, it has not been unproblematic in diffusing power. Power has passed on to politicised and relatively few groups who are prone to use it against the very public they profess to serve. Civil society is dominated by well-resourced and politically well-connected groups that have distorted what it means to be part of civil society. The ANC appears unable to ever bring relief to besieged citizens who are at the mercy of groups that are virtually above the law.

The ANC's immense power as an electoral machine has not impressed in the Western Cape. The party has consistently failed to gain a majority to govern the province since 1994. To the delight of the party, a similar failure to win an outright majority has been corrected in KwaZulu-Natal.

CONCLUDING THOUGHTS

Students of democracy will be confounded by the ANC's convincing victory at the polls in the light of what many saw as intractable problems the party faced before the elections. Many of them will take another look at the history of democratic elections to see if any other party was able to convincingly trounce its opponents in circumstances such as existed before the elections. Building democracy after a rupture in society of the kind South Africa experienced in 1994 is bound to feature prominently in the minds of those who study democracy.

A question to ask is: what mistakes can the ANC make that might earn the ire of voters? The unseemly infighting and factions, which were obvious before the elections, would have driven many voters to vote elsewhere.

There is no question that the voters were free to vote for parties of their choice. Unlike in previous elections, when pundits argued there was no viable party without blemishes of apartheid to vote for besides the ANC, this time around there was COPE, led by a veteran former prison inmate with impeccable credentials for his opposition to apartheid. COPE is also led by Mbazima Shilowa, a colourful character who supported Joe Slovo, the legendary SACP secretary general, by proudly wearing the same red socks as his political mentor, and making certain everyone noticed, presumably to let his communist sentiment hang out. He was also a radical COSATU leader who never missed an opportunity to pillory anyone he thought was siding with the capitalist bosses against workers. Other lesser-known stalwarts of the anti-apartheid movement have also joined or let it be known that their sympathies lie with COPE.

What stands out as an explanation for the performance both of the ANC and the DA is that there are continuities in party support.

What stands out as an explanation for the performance both of the ANC and the DA is that there are continuities in party support. The failure of new parties to impress supports this contention. COPE's performance lends support to this view; a party which literally had a few weeks to canvass for votes was able to attract some 7 per cent of them. While the level of support is pedestrian and not much should be hung on it, it should worry ANC strategists that more than one million people voted for COPE. Could this number be higher in the future when more time is available? Were the people who voted for COPE formerly ANC supporters?

Pondering these questions will surely occupy individuals tasked with ensuring that the ANC remains the dominant party it has remained during the last 15 years. COPE, too, should be working hard to provide answers to these questions. Their leaders and strategists should by now recognise the sheer power of a long association with a constituency that the ANC has had. To make any impact they should think how they would make up for the association with voters that the successful parties appear to enjoy.