

## South Africa's general election: 'win-win' or still a worry?

Written by Peter Vale

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PETER VALE, APR 28 2009

South Africa's general election which was held on April 22 has yielded the proverbial 'win-win' situation for all the participants except the tiny parties, who failed to impress voters and whose futures now hang in the balance. Although this outcome-and the peaceful and well-organised poll-augur well for democracy in the former apartheid state, many still believe that the country's fifteen year-old democracy may be in peril.

This feeling arises from the choice, in late 2007, by the African National Congress (ANC) to select Jacob Zuma as its president. At the time the 66-year old Zuma faced fraud and corruption charges which arose from the country's decision in 1997 to refurbish its military. A number of high-ranking members of the ANC were implicated in fraud and corruption in this arms deal – as the package is commonly called. These include Zuma's 'financial advisor' with whom High Court Judge declared Zuma to have had a 'generally corrupt relationship'. It is important to stress, however, that Zuma himself has not been convicted of any crime but the difficulty – and indeed suspicion – arises from the fact that a fortnight before the election, the National Prosecuting Authority (NPA) dropped all charges against Zuma on a technicality. So, Zuma's failure to appear before a judge has raised questions over the credibility and independence of the NPA as one of the central arms of the country's justice system.

Many were fearful of further erosion of the authority of constitutionally-established institutions by the fact that the country's constitution requires a two-thirds majority in its parliament to amend it, and the ANC had enjoyed 69.7 percent of the votes cast in 2004's general election. Would the ANC obtain more than 66.6 percent this time round and would Zuma and his party change the constitution? Sceptical voters and commentators were not really assured by the ANC's past failure to change the constitution or, indeed, Zuma's assurances that neither he nor his party would change it in future. On the day, however, these fears were allayed when the ANC received 65.9 percent of the vote.

Although the ANC will have 15 fewer seats in the 400-seat National Assembly, the outcome of April's election is considered to be a victory for the party. It received a million more votes than it did five years ago, and took the province of KwaZulu-Natal for the first time. That said, they were seriously challenged by earlier tensions within the party itself. Late in 2008, the ANC split as its former chair, and other senior party officials, hived off to start a new political party, called the Congress of the People or COPE. This was a revolt against a tide within the ANC which had removed – it was termed 'recalled' – South Africa's second democratically-elected president, Thabo Mbeki. Considered by some to be high-handed-perhaps vindictive-this action had followed a loss of confidence in Mbeki and his leadership. (He had, of course, earlier been defeated by Zuma in an election for the presidency of the ANC.) For years there had been speculation that the ANC would split along ideological grounds though the eventual break-away around which COPE was formed focused instead on personality and access to the levers of power.

In the event, COPE captured a very respectable 7.4 percent of the national vote and, importantly, has established itself as the official opposition in four of the country's nine provincial legislatures. In the Eastern Cape – the birthplace of both Nelson Mandela and Thabo Mbeki and therefore an ANC stronghold – COPE captured almost 15 percent of the vote; they did even better in the Northern Cape where they came in second with 16.6 percent of the vote in this sparsely populated province. In the National Assembly, COPE will be the third party with 30 seats.

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The role of the country's Official Opposition remains with the Democratic Alliance (DA) which is a liberal-libertarian leaning party led by a white middle-class woman, Helen Zille. Some experienced commentators regard the DA as the real victor of this Election. In 2004 under the leadership of another white, the lawyer Tony Leon, the party captured 12 percent of the national vote, returning 50 MPs to parliament. In this election it captured 16.6 percent of the vote winning 67 seats. Perhaps even more importantly the DA won the Western Cape Province, gaining 51.6 percent of the vote. This outcome will catapult Helen Zille, who has yet to serve in the national parliament, in the Provincial Premier's seat – akin to a State Governor in the US. Until now the former journalist has served as Mayor of the City of Cape Town, the country's 'Mother City'. The DA is also in opposition in three other provinces, Mpumalanga (in the east), the North West and in the country's industrial and financial heartland, Gauteng whose capital is Johannesburg.

The biggest single loser in the election was the Inkatha Freedom Party (IFP) which is led by the veteran Zulu leader, Gatsha Buthelezi, who is almost 80-years old. The party was trounced in his traditional stronghold of Kwazulu-Natal where it lost to a rampaging ANC which won almost 63 percent of the popular vote. In the National Assembly, the IFP lost 10 of its 28 seats. Commentators have been quick to point out that like Buthelezi, Jacob Zuma is from the Zulu ethnic group who are in the majority in this province. (Both Mandela and Mbeki are from the Xhosa ethnic group.) But although this explanation is obvious, it misses the point that, ironically, ethnically-based politics in the country may well be waning as voters target service delivery and corruption.

This election, with its 77.3 percent turn out, was billed as the most important election since South Africa's 'freedom' election of 1994. But has it, as some pundits claim, changed the country's political landscape – to use a favourite local metaphor? The considered answer must be no.

The ANC remains the country's overwhelming political force. Notwithstanding the split, its over-all hold on the levers of power have not slipped. However, recent events have shown that, unlike the experience in almost every other African country, the ruling party is not entirely unstoppable. The test of this will be in the Zuma presidency which, it is assumed, will run for a single five-year term. Notwithstanding his bad press, Zuma is a warm and engaging personality with a quick mind – despite his lack of formal education – and a genuinely inclusive style of leadership. This contrasts with Mbeki who was aloof, authoritarian and often antagonistic. But what will matter on the ground may well be more than presidential style, it will be the new administration's capacity to deliver jobs, social security and education to the majority of South Africa's people who live on less than three US dollars a day.

For its part, the DA has managed to smash the racially-defined role for which it seemed to have been historically-programmed. Not a little of Zille's success was her ability to break through to the mixed race – called 'coloured' in South Africa – vote. Her success in the Western Cape is in no small part attributed to the switch which poor people of mixed race have made from the ANC to the DA. But can the DA hold their loyalty? As Premier of the province she will be able to exercise influence in this direction. But her biggest political challenge may lie elsewhere – with the increasing talk of coalition politics, most of which she has instigated. As mayor of Cape Town, Zille forged a delicate coalition of parties which kept the ANC out of city hall and proved, contrary to popular belief, that coalitions were possible across both race and party divides. Prior to the DA's success in the Cape, Zille raised the possibility that the province could be governed by a coalition. The question is: who would be the coalition partners? Would coalitions be helpful in the building the long-term strength of a party like COPE which faces five difficult years out of government.

As suggested at the outset, tiny parties took a beating in the election although analyses of their successes as well as their failures suggest both continuity and change. The Pan Africanist Congress of Azania (PAC) which was once considered a rival to the ANC lost further ground: its parliamentary representation has dropped from 3 seats to 1; while the United Christian Democratic Front which had been vocal voice of a non-racial Christian Right saw its representation fall from 7 to 2 seats; a Muslim Party, running for the first time, garnered almost 26,000 but failed to secure a single parliamentary seat. The only of these minnows to hold their ground was the pro-Afrikaner Freedom Front Plus whose representation remains at 4 members.

The election certainly showed that the formal electoral mechanisms are intact. Security was high, especially in KwaZulu-Natal where some 20,000 troops were deployed. This has not, however, prevented post-election violence which has claimed at least one life. However, it ought to be born in mind that South Africa's election went ahead as

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the country hosted the Indian Professional League (IPL) cricket tournament which, because of the India's own general election, could not be staged in that country.

But commendable though the formal holding of elections has been, the business of sustaining the day to day life of democracy might prove to be more difficult. Here, Jacob Zuma and his colleagues face considerable challenges aside from the now mandatory reference to the global economic crisis. From a democracy theory point of view, there is an urgent need to bring the voice of parliament back into the governing of the country – under the Mbeki presidency, parliament had lost all its political traction. The former Speaker of Parliament is strongly tipped to be the country's Deputy President and may well be inclined towards facilitating this feature of the country's democracy. From an African government perspective, it is essential to create clear blue water between the ruling party and the organs of state. A failure to do this has proved ruinous elsewhere on the continent. Given that he is so consummately entrenched in ANC structures, the new president may find this difficult to do. The third essential consideration is to restore the credibility of the country's legal system. This must begin with the Constitutional Court. As constitutional theory suggests, no institution matters more in the long-term building of a democracy than does this. Here, the integrity of the Constitutional Court matters as much as its accessibility to every citizen in the country.

For the opposition, any hope of becoming the proverbial government-in-waiting obviously remains distant given the ANC margin of victory. But this may be less important than in holding the ANC to account while constructively showing that to be in opposition represents more than shrill attacks on government failures. It will also entail the hard grind of building the party base and learning that successful electoral politics – as the ANC showed in this election – often relies on the door-to-door mobilisation of the grass-roots. More difficult, as we have noted, will be the building of coalitions and still more difficult will be the challenge of drawing all the opposition parties under a single tent.

In the hullabaloo of campaigning, it is often forgotten that building democracy, like the proverbial woman's work, is never done. People, not politicians or parties, are the most important ingredient in securing the long-term success of the democratic project. As South Africans stood patiently in queues – not seen since the freedom election of 1994 – to cast their ballots, the feeling was that they believe that the quintessential act of democracy could make a difference to their lives. And this is where the overall increase in votes cast of just over two million bodes well for the future. Most observers believe that the bulk of these new voters were young first-timers. In South Africa's next general election, scheduled for 2014, first time voters will have been born in a free and democratic country. Surely, that will be the moment to judge whether South Africa democracy has been a success or failure.

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