

ELECTION UPDATE SOUTH AFRICA 2014



ELECTION UPDATE

SOUTH AFRICA

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ELECTION UPDATE 2014



PREFACE

Since 1999 EISA has produced a series of Election Updates for every South African election, detailing and documenting the developments of the pre-election, election day, and post-election period in each of South Africa's nine provinces. These updates are circulated to a broad group of local and international electoral stakeholders, including local and international observer missions, local civil society organisations, political parties, academics and universities as well as a broader international audience interested in developments in South Africa. The Election Update provides in-depth insight into the electoral and political process and provides an account of the extent to which democracy in South Africa is taking root after twenty years of political transition. It aims to reflect on the past two decades of democracy in South Africa, and examine potential issues impacting on the 7 May 2014 elections. Specifically, the Election Update aims to:

- contribute to voter education aimed at promoting an informed choice by the electorate;
- promote national dialogue on elections and in the process inculcate a culture of political tolerance;
- influence policy debates and electoral reform efforts through published material;

- provide critical information and analysis to all electoral stakeholders on the electoral and political process; and
- serve as a historical record of the electoral process.

For these reasons, the Election Update series has become an indispensable resource on the political and electoral process as it unfolds in South Africa.

Over a series of nine issues, we aim to have brought timely and relevant insights into the electoral and political process through providing information, data and analysis on selected themes germane to the political, electoral and democratisation process.

The updates were produced in three phases, the immediate pre-election phase, the elections days phase, and a post elections phase which provided a documentation and analysis of the process and the results. This compendium edition, thus provides an extant record and documentation of the overall political and electoral process, with the unique feature of providing data, information and analysis from each of South Africa's nine provinces and will serve as a useful documentary guide of record, on the South African electoral process in 2014.

This would not have been possible without the commitment and dedication of the researchers and EISA staff.

ELECTIONS IN 2014 – A BAROMETER OF SOUTH AFRICAN POLITICS AND SOCIETY?

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1. INTRODUCTION

EISA has published nine issues of *Election Update* during 2014 to record and reflect on preparations for and the conduct of the national and provincial elections on 7 May 2014 throughout South Africa. This event was not only the fifth national/provincial elections but also concluded the first two decades after introduction of constitutional democracy in South Africa. It raises the expectation that South Africa should have “become of age” with this election. At the same time it is worthwhile to compare it with countries at the same stage of their history: Zimbabwe in 2000, Namibia in 2010 or Mozambique in 2014. At this point in South Africa’s development the question can be asked: how advanced is South Africa in improving the quality of its democracy? These questions will not be directly be answered here, but arguably an election is a valuable barometer of the general state of politics and the burning contemporary issues in a society. Therefore the 2014 election was not only about party political contestation, but also about the state of South African politics twenty years into its constitutional democracy.

EISA is one of the leading institutions which promoting electoral studies in South Africa, and at the same time serves as a knowledge and training source on elections. In South Africa the cohort of researchers on electoral matters is

relatively small in number, but well established. The research approach they follow is mainly qualitative-empirical in nature with very few examples of quantitative studies, similar to those of Pippa Norris’ Electoral Integrity project¹. Robert Mattes (UCT) is one of the few exceptions to this rule.

All the elections between 1994 and 2014 have been thoroughly researched and numerous publications on them are available. The 1994 election was the focus of books by Andrew Reynolds², Peter Harris³, and RW Johnson & Lawrence Schlemmer⁴. One of the books on the 1999 election was edited by Yvonne Muthien⁵ and another one compiled by Tom Lodge⁶, while Susan Booyesen⁷ edited a publication on the 2011 local government election. Roger Southall & John Daniel edited a book on the 2009 election⁸ and the latest publication on the 2014 election has been edited by Collette Shulz-Herzenberg & Roger Southall⁹. EISA’s *Election Updates* during earlier elections were also consolidated in publications while journals like *the Journal of African Elections* or *Politeia*, dedicated issues specifically to some of the elections.

Dedicated research on electoral matters is undertaken at the University of Cape Town in the form of the South African National Election Study and at UNISA by the Wiphold-Brigalia Bam Chair in Electoral Democracy in Afri-

ca. The main challenge in South Africa is, however, to proceed beyond the seasonal interest in individual elections to more systematic, thematic and comparative electoral studies.

The main foci of attention over the years in the South African studies have been firstly, the predominance of results’ analysis in terms of party-race alignments (or elections as “racial censuses”), the regional/provincial concentration of opposition parties (epitomized by the IFP), Kwa-Zulu-Natal and the Western Cape as the two exceptional provinces where the ANC has not always been in the majority, the exceptional nature of local government elections in terms of its electoral system, much lower voter turnouts than the other elections, proportionally to provincial governments a much higher instance of coalition governments, and the relative success of local or civic organisations as contenders against national parties. Another perennial issue in South African elections over the years has been the ANC’s success to constituting a single-dominant party regime and the opposition parties’ inability to contest its hegemonic status. Substantive matters like policy debates are not yet prominent foci of attention while leadership personalities are increasingly emphasized as an electoral phenomenon.

The discussion that follows concentrates on the main themes which emerged from the contributions in the *Election Updates*, followed by a brief look at the main issues associated with the 2014 election, then an overview of the national and provincial election results, and concluded by a summary of the challenge to the IEC's presentation of the voter turn-out in this election.

2. THEMATIC TRENDS IN ELECTION UPDATES

The first theme in several of the contributions is the strategies followed by the parties in their election campaigns. As a generalization the observation was made that opposition parties concentrated mainly on the ANC and on governance problems such as service delivery while they neglected their own election manifestos. It is noteworthy that early in the campaign period the ANC and DA sharply differed on their job creation proposals. Both projected a growth of six million jobs in the next five years under their own administrations but the DA staged a march in Johannesburg to the ANC's head-office in order to draw a distinction between the ANC's "public works' jobs" and the DA's "REAL jobs". Unfortunately this substantive contestation quickly petered out. For most of the time the DA's approach concentrated on President Jacob Zuma and consciously made an attempt to force a wedge between the "Zuma faction" of the ANC and the "ANC of Mandela and Mbeki". On the other hand, the ANC's campaign mantra that it has a "good story to tell" which is that life in South Africa has improved over the last twenty years, was countered by the DA and EFF insisting that it applies only to the Mandela and Mbeki eras.

A second theme amongst the contributions was a search for clarity on the impact of local public protests on elections. Up to the 2011 election the standard interpretation of these protests (which became prominent in 2004) has been that they articulate a wide spectrum of frustrations but were mainly focused on service delivery. They were, however, not oppositional in nature, because at the time of elections in most instances the protestors still voted for the ANC¹⁰. In respect of the 2014 election the authors attached a spectrum of interpretations to what the protests articulate, ranging from service delivery matters to a quest for better quality democracy or citizenship questions. The protests in Bekkersdal in particular, but also in Limpopo and the North West province (Zeerust, Bloemhof, Madibeng, Marikana) received special attention. In the North West for example, service delivery problems are partly attributed to the ANC's factional problems in the provincial leadership. While in the past Limpopo did not experience serious local tensions during election periods, the new tensions in 2014 are presented as an explanation for a decline in the province's voter turn-out (despite higher voter registration) and the ANC's losses. In both Gauteng and the North West the ANC lost substantial support in the protest centres – therefore a new electoral behaviour phenomenon in the form of a direct correlation between protest and ANC losses appears to be present. This phenomenon cannot be ascribed to a stay-away or negative voting, because the voter turn-out in these areas remained constant.

A third general theme in the contributions was the ANC's internal problems and factionalism in provinces like the Free State and North West that bedeviled

its campaign. The Sidikiwe! Vukani! campaign by ANC veterans Ronnie Kasrils and Nozizwe Madlala-Routledge calling for a protest vote against the ANC or for any smaller party except the DA, was also a form of factionalism though it did not affect the election outcome significantly, but did erode the ANC's credibility. The newly-formed Economic Freedom Fighters is effectively a break-away faction from the ANC, joined by former COPE supporters and other small parties. Its impact on the ANC in Gauteng, Limpopo and the North West was substantial. More difficult to determine – and therefore not developed by the authors – was the impact of COSATU's factionalism (especially NUMSA) on the ANC's electoral performance. A fourth general theme in several of the contributions is the special attention paid to this election's voter turn-out. In the past voter turn-out in South African elections was discussed predominantly in proportion to the *registered* voters. Already with the 2009 general election Robert Mattes, Collette Schulz-Herzenberg¹¹ and others started to insist that it would be more accurate to calculate it in proportion to the *voting-age population* (VAP) above 18 years and based on regularly adjusted or estimated census population figures. Most of the contributions on the 2014 election have accepted this argument and therefore demonstrated an even more dramatic decline in the ANC's support.

Most of the *Election Update* issues are organized in thematic forms. Four of the themes are worth mentioning. The first is political intimidation (*Election Update* 3), discussed by David Bruce. Intimidation is not only measured by the number of politically-motivated killings but also by actions like economi-

cally-induced pressure such as threats that voters may lose their social grant/s if they don't vote for a particular party or person. Though all the South African elections have been declared free and fair and since 1994 and politically related deaths have declined substantially, the prevalence of intimidation in 2014 was often raised. Research by David Bruce concluded that the ANC has been involved in most of the incidents of political intimidation and that political murders are perpetrated mainly in KwaZulu-Natal and specifically in the Ulundi and KwaMashu areas. Intimidation is an important indicator of political tolerance, is a key prerequisite for multi-party-ism. It can be expected that intimidation will increase as the majority of the governing party declines, which paradoxically, will also indicate more intense contestation amongst the parties.

A second theme was a focus on the opposition: Aubrey Matshiqi (*Electoral Update 4*) proposed some assumptions about the South African opposition, namely that its reach is wider than party political activities and that opposition has a very specific meaning in the post-apartheid context. According to him, opposition should be located within South African democracy which is a product of anti-colonial and anti-apartheid struggles. Therefore opposition to the ANC is regarded by many as part of an "anti-liberation impulse". However the ANC's failures lately, according to Matshiqi, have produced a tension between the liberation and anti-liberation "impulses". Matshiqi concluded that the government-opposition distinction is defined by a clash of worldviews, ideologies and differences about governance delivery but it can also incorporate internal ANC factionalism.

It can also be argued that the 2014 election has established a new, emerging perspective on the concept of opposition which differs from Matshiqi's. In the past opposition was delegitimized by stereotypes of being anti-transformational, anti-patriotic, entrenching white interests and being anti-black and "liberal". With the formation of COPE in 2008 and the EFF in July 2013, both as ANC break-away formations, such a stereotype has become unsustainable. Opposition can therefore no longer be categorised as anti-liberation or characterised by a specific ideology. Not only the meaning, but also the function of opposition in South Africa is changing. One of the implications of the EFF's formation has been that it is engaged in legitimising opposition and challenging the ANC's monopoly on the liberation legacy. It holds also important implications for legislative-executive relations, and the prominence of Parliament in future.

A third issue theme is about the credibility of political parties and the public's trust and confidence in them. Ebrahim Fakir (*Election Update 4*) presents the South African case of a phenomenon that is now almost global in nature. In some instances it is described as "anti-politics"¹² and characterised by movements like Occupy Wall Street, the Tea Party movement or social movements like Abahlahli baseMjondolo. The point is illustrated by the fact that the trust index rating (maximum = 100) of South African political parties in 2012 was 25 while these of religious institutions were 77 and Parliament 44¹³. It has a direct bearing on voters' motivation to register as voters and to vote in elections. It will be seen later that the "registration turn-out" in South Africa is gradually declining, following the pattern of de-

cline in party credibility.

An overall theme regarding the IEC's management of the voting day across all nine provinces is that it experienced fewer problems than anticipated. According to the contributions, most of the problems were logistical in nature: voting stations opened late, a shortage of voting material in some stations developed because of the effect of Section 24A voters, or abandoned ballot papers were found after the counting process. In some instances IEC officials appear not have been adequately trained and took decisions in conflict with the electoral legislation or regulations. In spite of this, few election disputes were lodged and relatively few conflict incidents were reported. Most of the contributions concluded that the election was managed effectively, that political parties had a fair chance to present themselves to the electorate and that the outcome was legitimate.

3. SPECIFIC ISSUES IN THE ELECTION

One of the most contested social groups in South African politics and society is the middle-class. Though numerically not the largest segment of the society, most parties want to claim majority support amongst the middle-class. The "Black" middle-class in particular is attractive, because it is the segment in South African society which is most socially mobile. The wish or expectation is that a growing Black middle-class might allow for new voter behaviour patterns and can erode the racial entrenchment patterns evident in political party support patterns. For opposition parties in particular, such a new tendency can create opportunities to challenge the ANC's dominance. Most parties wish to be associated with the mid-

dle-class, because professionals tend to take leading positions in society, be a strong financial resource for any party and includes the intellectuals in society. All parties want to be embraced by intellectual legitimacy and therefore the Black middle-class in South Africa holds a particularly important political significance for all the parties.

In 2009 COPE expected to attract a significant portion of middle-class Mbeki supporters to it. This expectation was only partially fulfilled. The DA harboured similar ambitions in 2009, which ambitions continued into 2014. Though ideologically the ANC claims to be the champion of the working class and presents itself as the main enemy of “monopoly capitalism”¹⁴, the Black middle-class is a solid core of its political constituency. It is not merely an important constituency but in more general terms, Martin Lipset¹⁵ and others assume that a vibrant middle-class is one of the prerequisites for a democratic dispensation and its consolidation.

Alignment with the middle-class was therefore a critical factor in the 2014 election. Ngoma¹⁶ concluded that the middle-class’s association with the ANC continued but their level of support is in decline and they are moving in different political directions. It is the case especially in the metropolitan areas, while in comparative terms the ANC’s constituency is becoming increasingly rural.

An issue that received very little attention so far, but which has arguably had a major impact on the election results of the ANC, EFF and the DA is the question of what happened with the COPE voters in 2014. The simplistic answer is that they returned to the

ANC but, this may be an oversimplification of the matter. The composition of COPE’s support in 2009 was mainly ANC supporters (62%), DA (13%), UDM (8%) and Independent Democrats (5.5%)¹⁷. The fact that the ANC’s overall support declined in 2014 refutes any suggestion of an influx of former COPE support to them. Looking at specific provincial results for example in the Free State, the ANC lost about two per cent, the DA gained about four per cent, the EFF gained about eight per cent and COPE lost about ten per cent. It means that the lost COPE support was divided between the EFF (6%) and the DA (4%). In the Eastern Cape the COPE vote was divided between the EFF (4%), the DA (6%) and the ANC (1.1%). In Limpopo it was divided between the EFF (4%) and the DA (3%) and in the Northern Cape between the EFF (5%), the DA (5%) and the ANC (2.8%)¹⁸. It means that the EFF and the DA were the main beneficiaries of COPE’s demise.

The 2014 general election was blemished by another issue, namely the allegation leveled against the IEC’s Chairperson Pansy Tlakula by opposition parties of unethical behavior in leasing a building for the IEC through irregular process. After a complaint to The Public Protector, The Public Protector concluded that in the current chairpersons former role the IEC’s CEO, she did not follow the correct tender procedures to lease a building for the IEC’s head-office and that it constituted also a conflict of interest, because the building belongs to a company in which her life partner and ANC parliamentarian, Thaba Mufamadi, had a material interest. A further report on this was commissioned by the National treasury, which also pointed out gross irregularities in procurement process.

A group of opposition parties led by the UDM applied to the Electoral Court to conclude that it would be improper for her to remain as the Chairperson of the IEC, and that the matter must be referred to Parliament for finalisation. The relevance of this issue for the election was whether it would compromise the IEC’s credibility in the eyes of the political parties and the public, and whether the IEC’s management of the election would be regarded problematic, with her as the Chair of the Commission. A simple test of the latter was whether the electoral dispute resolution procedure (both the party liaison committees and the Electoral Court) was inundated with challenges to the IEC’s decisions or allegations of biased activities. In the end it was clear that the issue was mainly confined to the person, and did not compromise the IEC’s management and administration of the elections in its entirety. Tlakula subsequently resigned as the Chairperson of the Commission.

A fourth issue is the impact of local demonstrations or protests and industrial strikes on the election. Since 2004 the number of protests or demonstrations has gradually increased but a dramatic spike was experienced in 2011. At the same time a generalisation is that at the time of elections a slight decrease was seen. Arguably the protests could be explained as an unconventional form of public political communication when a realisation takes hold that the conventional means of political communication with elected local representatives did not produce positive results. Conventionally the nature of election campaigns is that they make senior party officials more accessible to a wider section of society and therefore protests as an alternative to attract

their attention were not so much in evidence. Since 2011 a stronger feeling of alienation from political parties and government leaders set in communities and therefore protests became more pronounced during election periods, and their intensity increased in the form of more violence. It was also the trend in 2014 in areas like Bekkersdal, Gugulethu and in the North West Province. The election coincided with a major industrial dispute at some of the platinum mines in the North West. This combination of protests, strikes and elections is unique and can be interpreted as an indication of the lack of trust in elections as a means of either bringing communities and public representatives closer together, or for elections as dispute resolution.

The epicenters of these protests during the last few years have been in the richer provinces of Gauteng, the Western Cape and the North West and not so much in the poor provinces (Limpopo, Eastern Cape and the Northern Cape) or in KwaZulu-Natal. They are therefore concentrated in higher GDP income provinces, which is unexpected given a general theoretical assumption that the quality of services are expected to be worse in poorer provinces than in the richer provinces. The fact that the opposite pattern is the case can only be explained by the relative deprivation theory of Ted Gurr¹⁹ and others, which states that frustration and violence are not caused by *objective* measurements of neglect or deficient rewards but by *subjective* perceptions of an intolerable gap between persons' expectations of what their just rewards ought to be and what they actually receive. In other words, the gap between good and bad services in richer provinces in South Africa are perceived as more problemat-

ic than the gap in poorer provinces, even if the objective quality of the poor services in the richer provinces are substantially better than the poor services in the poor provinces.

As indicated earlier, a direct correlation between local protests and voter support for the ANC was in the past very weak. In 2014, however, a much stronger correlation has emerged, which means that the grievances that drive the protests become motivations for changes in voting behaviour, which introduces the notion of the rational choice voter²⁰. In the past considerations like race, the ANC's liberation legacy or regional allegiance have been important voting determinations in line with Steven Friedman's use of "path dependency" (*Election Update 2*). But now judgements about government performance and choices about alternatives appear to be gradually entering the decision-making matrix.

4. BRIEF OVERVIEW OF THE NATIONAL AND PROVINCIAL RESULTS

Detailed discussions of the provincial results are included in *Election Update 7*. In this section a number of general features or trends in the results are identified. The first notable trend in 2014 was that it was the third consecutive election in which the ANC lost support. The elections were: 2009 (-3.79%), 2011 (-2.74%) and 2014 (-3.75%). It is evident that its decline in the local government election in 2011 was significantly less than those in the national/provincial elections. The voter turn-out (per registered voters) in national/provincial elections is most of the time approximately twenty per cent more than in the local elections, which suggests that a lower vot-

er turn-out benefits the ANC – while the opposite is believed by most analysts.

In 2009 the ANC lost percentage votes in eight provinces, except in KwaZulu-Natal, where its support increased by about 15%. Mpumalanga was the province where it lost the least percentage votes. In 2014 the trend changed with increases in four provinces and a decline in five. The ANC suffered the most severe losses in Gauteng (-10.4%), Mpumalanga (-7.4%), Limpopo (-6.3%) and in the North West (-5.5%). Its highest percentage gains were in the Northern Cape (+3.6%) and KwaZulu-Natal (+1.5%). Arguably the biggest disappointment for the ANC was not necessarily its losses in Gauteng but its lack of growth in KwaZulu-Natal. It had the opportunity to collect most of the IFP's loss of 11.5% but instead the National Freedom Party received 7.3% and the ANC only 1.5% of those votes.

The DA received 22.23% of the national votes which is an increase of 5.57% on 2009. Its previous increase (in 2009) was 4.29%, which indicates that the DA did not experience exceptional growth in 2014 but follows rather an incremental growth trajectory. Its exponential growth was indeed in 1999. In 2014 its growth points in percentage terms were: Northern Cape (+11.3%), Gauteng (+9.0%) and the Western Cape (+8.3%). In real terms, it remains dependent on Gauteng and the Western Cape, because 62.35% of all its national votes are concentrated in these two provinces. Though it increased its support in KwaZulu-Natal by only 3.6%, given the province's population size, that percentage contributed 12.64% to the DA's total national votes. These three provinces therefore control 74.99% of all the DA's votes.

A similar over-concentration is prevalent in the EFF. It received 10.3% of the Gauteng votes but they constitute 40.29% of all the EFF national votes. Its other concentration points are Limpopo and the North West. Together with Gauteng they represent 65.74% of all the EFF votes. In contrast, the EFF has very low levels of support in the coastal provinces. Both the DA and EFF (together with the IFP, NFP and UDM) therefore perpetuate the opposition weakness of over-concentration in only one or two provinces.

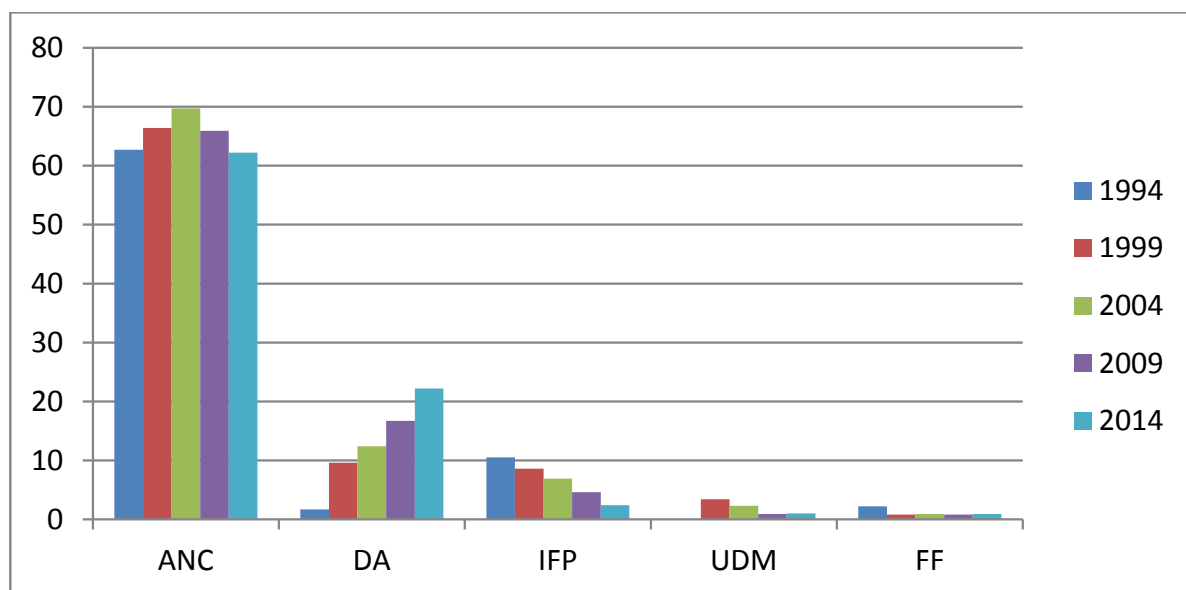
The ANC's support patterns in the provinces after the 2014 election can be divided into four categories, namely: 1. Its strongest constituency at a level of 78% support (Limpopo and Mpumalanga), 2. its bedrock at 70% support (Eastern Cape, Free State and North West), 3. the average performers at 65% (KwaZulu-Natal and Northern Cape) and 4. the strugglers below 54% support (Gauteng and the Western Cape). Ironically KwaZulu-Natal enjoys the highest number of ANC paid members but has only the sixth highest provincial ANC percentage vote. It is however important to appreciate the difference in

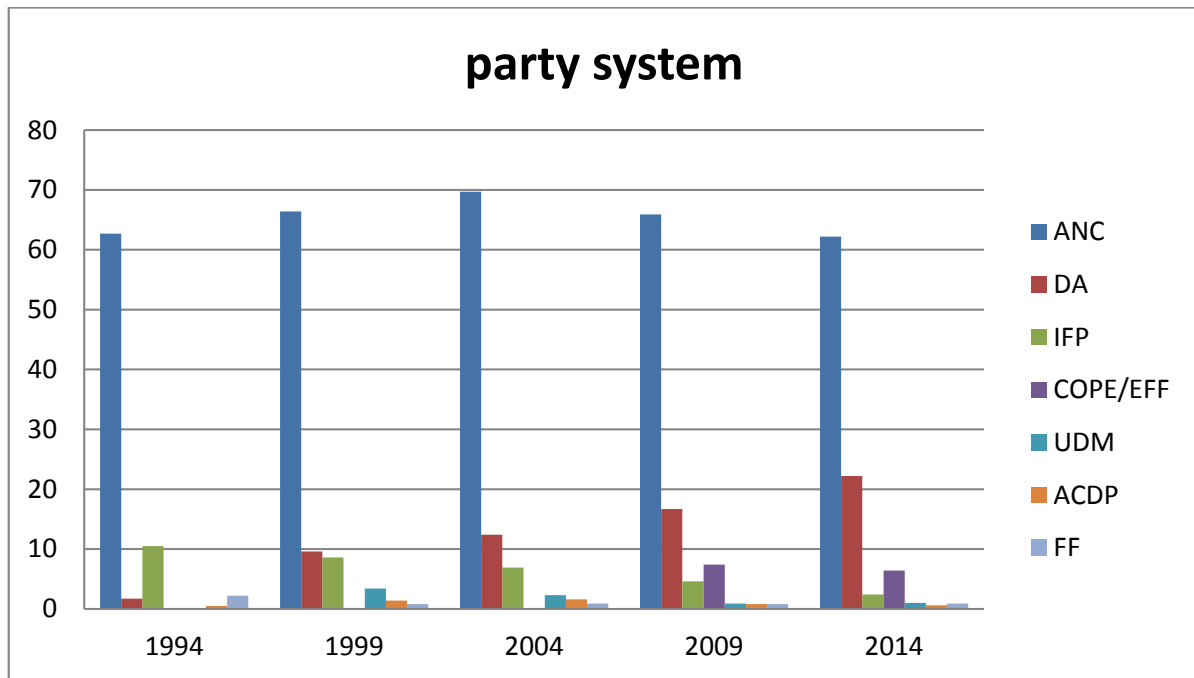
effect between percentage votes and the real number of votes on proportional representation seats. The national demographic dominance of Gauteng, KwaZulu-Natal and the Eastern Cape together with the electoral system of proportional representation make the three provinces a decisive factor in any election.

A comparison of the four elections since 1994 (graph below) – provides an indication of the overall voting patterns of registered voters. The ANC's electoral history constitutes two phases: a growth phase between 1994 and 2004 and a decline phase between 2004 and 2014. The DA and the IFP represent two other patterns: since 1994 the DP/DA has incrementally and consistently grown while the IFP experienced the exact opposite pattern. Most of the small parties (such as the UDM or FF+) initially lost support and thereafter stabilized over a period of three to four elections. Party political trends in South Africa are not based on binary zero-sum transactions, which means that the growth and decline patterns are not linked to specific parties but the decline of one party can feed support to more than one other party. It also implies that

parties are not fixed in spectrum positions, like only centre-left parties or only centrist parties affect each other.

Another question related to elections is: How does the party system in South Africa look after the 2014 election? The graph below provides a visual presentation of the party system over time. In 1994 it was dominated by the ANC while two other parties (NNP and IFP) mustered 30% amongst them. It was therefore a single-dominant three party system. In 1999 the ANC increased its dominance while no other party received more than ten percent support. It was therefore a single-dominant party system with a fragmented opposition. In 2004 the ANC reached its zenith but at the same time the DA went past the ten percent mark while the IFP's decline became pronounced. It was therefore still a single-dominant party system with an emerging single-dominant opposition party and therefore less fragmented than in 1999. In 2009 the ANC's tide turned, the DA went passed 15% and COPE emerged with 7.42%. It could be regarded as a single-dominant two-and-a-half party system. The same pattern





continued in 2014 when COPE was replaced by the EFF and the DA continued to grow. As a result the opposition has reached its best coordinated status in twenty years while the ANC has to face many internal crises in the midst of a declining phase.

Instead of looking at their percentage support growth or decline and variations between elections, parties' ability to remobilise their support base of the previous election is another indicator of their strength as parties. In 2014 the ANC managed to mobilise 94.31% of their 2009 percentage support (i.e. not real number of votes) and therefore it lost 5.69% of their former supporters. Compare it with their national support decline by 3.7% in percentage terms. The IFP on the other hand, lost much more support and managed to keep only 52.74% of its 2009 supporters. COPE's dramatic collapse meant that it could only rescue 9.03% of its 2009 support. Though growing from a very low base, the UDM's increase in support in 2014 accounted for an expansion of its supporters by 17.64%. The DA follow suit with an expansion

of 33.43% of its 2009 support base²¹.

5. DEMOGRAPHICS AND VOTER TURN-OUT

Major differences of opinion exist about what is the correct calculation of the voter participation in elections in South Africa. It is mainly concerned with two matters, namely: 1. Voter turn-out can be calculated as a percentage of either registered voters or eligible voters (i.e. voting-age persons – VAP), and 2. the VAP for 2014 should be based either on the last national census in 2011 or be based on the latest adjusted demographic figures.

The IEC generally reports voter turn-out statistics in terms of registered voters. In this respect the voter turn-out in 2014 was 73.5% compared with 77.3% (2009), 76.7% (2004) and 89.3% (1999). In international terms these are regarded as a relatively high percentage, especially given that fact that they remained more or less constant over a long period. The counter-argument, however, is that if it is calculated in terms of the voting-age population

(VAP) it reveals a different tendency. Collette Schulz-Herzenberg²² and others argue that voter registrations as a percentage of VAP follow a steady decline, especially among the young generation. According to her, the decline pattern is the following: 1994: 86.0%, 1999: 71.8%, 2004: 57.8%, 2009: 59.8% and 2014: 57.1%²³. However, from these statistics it is clear that the decline is not directly correlated to all the elections but occurred mainly between 1994 and 2004 and thereafter it reached a plateau with marginal changes.

Part of this debate is the argument that the ANC is less representative of the society than what it presents to the public in the form of its voter support, and therefore that the basis for their moral claim to speak on behalf of the "people" and to enjoy an hegemonic dominance in society are misplaced. In terms of this logic it is argued that the ANC enjoyed majority support only in 1994 (54%) but thereafter it declined to 47% (1999) of the eligible population, 40% (2004), 39% (2009) and 35% (2014). The same principle also applies to the DA and there-

fore its support is substantially lower at 2% (1994), 7% (1999), 7% (2004), 10% (2009) and 13% (2014)²⁴. Should this approach be accepted as a credible platform for support measurement, then it means that in 2014 the combined voter for the ANC and DA did not yet represent a majority of eligible (VAP) voters but only 48% of them.

The second matter is about what the most accurate indicator of the VAP is. The IEC's point of measurement was the national census conducted by Statistics South Africa in 2011. The total VAP there-of was 31 434 035. According to the IEC, the 25 390 150 voters registered for the 2014 election therefore represented 80.80% of the voting age population. In accordance with these figures, the voter turn-out of registered voters in 2014 was 73.5% and of the VAP was 58.54%.

Schultz-Herzenberg and others argue that the VAP of 2011 is a misrepresentation of the situation and that it should be based on adjusted population estimates closer to the election date. She used statistics that estimated the VAP at 32 687 600²⁵. Using this estimate it will change the VAP turn-out from 58.54% to 56.30%. Determining the most appropriate VAP or population estimates is also a bone of contention. Statistics South Africa published a mid-year population estimate for 2013 in which the population between 20 years and 80+ years was estimated to be 32 458 452²⁶.

Unfortunately it provided only for the age 15-19 years (5 168 797) but not specifically for eligible VAP of 18-19 years. If the Schultz-Herzenberg estimate of 1.96 million for this age group is therefore used to fill this gap, then the grand total should be about 34.41 million.

Irrespective of which population estimate is most correct, the VAP-based turn-out is almost 20% less than the turn-out of registered voters. The main explanation for this difference is the fact that approximately 25% of the eligible voters are not registered, many of them in the age group 18-30 years.

CONCLUSION

The significance of the general election in 2014 is manifold, such as its impact on the ANC's declining support, on consolidation in the opposition ranks around the DA but a "revolving door" with respect to the third and fourth parties, the interplay between protests and elections, concerns about intimidation, the election that served as a test of the IEC's institutional consolidation and credibility, and differences of opinion about measuring parties' performance and the level of public participation in elections.

Elections should not be treated in isolation but the question is: With which election should this one be compared with: with the Mbeki mid-term election in 2004 or any other election? How much did this election address the general public scepticism about political parties, politicians and even parliament? Do elections serve the purpose as the main vehicle of public participation in South Africa or have the social media and social movements become more accessible and credible alternatives? This publication serves as a basis for the argument that a reductionist look at democracy in South Africa primarily in terms of elections, has to be re-assessed.

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LEGAL FRAMEWORK

In general an election and electoral process is one that serves to facilitate people's participation in the process of choosing leaders to represent them. The electoral system is thus a process that creates equality of opportunity for citizens to exercise choice and gives voice to their choice. Consequently, elections by their nature need to be process-driven, serving to systematise and manage the competition and contestation between contestants (political parties) over the issues and resources that may be at stake in society that the leaders they elect give direction to.

The legal framework of elections determines whether the playing field is level for competition among the parties. First there is the electoral system; secondly, there are the electoral procedures that determine the rules of participation in the election; thirdly, there is the conduct of the participants, which can only partly be regulated by the legal framework; and, finally, there are factors within a broader environment, such as the media, which are in some instances also subject to legal regulations.

The 1996 Constitution

In view of the Constitution's status as the supreme law, and therefore its constitutional supremacy, the Constitution provides the

most important indication as to whether or not the electoral playing field is level in South Africa. It also implies that all legislative and executive actions in relation to elections have to be constitutional, which gives the judiciary a more prominent status in relation to the legislatures than in parliamentary systems. The constitutional provisions relevant to elections are the following:

- **Section 1(d):** as a sovereign and democratic state, South Africa is founded on a set of basic values, including 'universal adult suffrage, a national common voters' roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness'.
- **Section 19** (in the Bill of Rights): every citizen (not 'everyone' as in most of the other Chapter 2 clauses) is free to make political choices. This includes the right to form a political party, to participate in the activities of, or recruit members for, a political party, and to campaign for a political party. Every citizen has the right to free, fair and regular elections for any of the official legislative bodies. Every adult citizen has the right to vote in

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secret in elections for any of the official legislative bodies. Citizens also have the right to stand for public office and to hold office.

- **Sections 46 and 47:** prescribe the electoral system to be used for the National Assembly and the qualifications of candidates. The electoral system has to be determined by national legislation and it must be based on a common voters' roll, a minimum voting age of 18 years, and a system that 'result[s], in general, in proportional representation'.

To be a parliamentary member, one must qualify as a voter, but will be disqualified if:

- appointed by, or in the service of, the State and is remunerated for it; – he/she is a member of the other parliamentary house, a provincial legislature or a local council;
 - a non-rehabilitated insolvent;
 - declared to be of unsound mind
 - anyone convicted after 1994 of an offence and sentenced to more than 12 months' imprisonment without the option of a fine. The disqualification expires five years after the sentence has been completed.
- **Sections 105 and 106:** determine the electoral system and qualification of candidates for provincial legislatures. These provisions are a duplicate of those applicable to the National Assembly.

A third significant constitutional determination is that citizens have the right to free, fair and regular elections. Free and fair

elections are therefore not only a noble objective but a right. Once recognised as a right, it must be enforceable. Who has to take responsibility for it? The first possibility is the government, but as the governing political party it cannot be 'player and referee'.¹ Institutions responsible for managing elections – in other words, the Independent Electoral Commission under direction of the Constitution, and relevant Statutes listed below as well as the judiciary through the Electoral Court – becomes the sole recognised authorities on electoral matters during the electoral period, while the government takes responsibility for the normal functioning of the State.

The relevant statutes governing the electoral process are the following:

- Electoral Act, 73 of 1998
- Electoral Commission Act, 51 of 1996
- Public Funding of Represented Political Parties Act, 103 of 1997
- Independent Broadcasting Authority Act, 153 of 1993

The Electoral Act constitutes a comprehensive framework that deals with all the technical aspects of general elections in the national and provincial spheres of government. Local government elections are governed by a separate electoral act. Only those aspects that can affect contestation between the parties and bureaucratic interference in the election will be discussed here².

The Electoral Act's section 26 determines the requirements for political parties to contest elections.

A party must be registered and must have submitted a list of candidates. Section 27 prescribes

how these lists should be submitted. In addition to the list, the party should bind itself and its candidates to the Electoral Code of Conduct. It should include a declaration by each individual candidate that he/she accepts the nomination and the Code of Conduct. The lists must be accompanied by a deposit for the national election and for each of the provinces in which the party is involved.³ The refundable deposit for parties contesting the National Assembly is R200 000, while parties contesting provincial legislatures will pay R45 000 per provincial election. The deposit is refunded should a party win a single seat in the contested election. The election deposits serve two purposes: a. they serve to reduce the prevalence of unscrupulous and joke contestants, and b. they serve to test a minimum level of connection between a contesting party in a purely proportional representation system and candidates in a first-past-the-post system. Serious and genuine contestants who demonstrate a minimum threshold of support are refunded their deposit.

In South Africa's purely proportional representation system with no threshold, parties attaining a seat are refunded their deposit. In other systems, such as a first-past-the-post system, candidates losing an election but demonstrating through the poll a minimum threshold of support (for instance five percent), have their deposits refunded. There are other tests that can be used to demonstrate the seriousness of political parties and to test their connection to a portion of the body-politic, such as through for example attaining a specified number of signatures of registered voters; this test is applicable only in simple first-past-the-post elections in relatively small constituencies. In a pure PR system

such as South Africa's, the number of signatures required would be in the order of 50 000, which would place an undue and onerous compliance and regulatory burden on the electoral managers and administrators to vet, verify and authenticate these signatures. On a balance of considerations, therefore, the refundable deposit is thought to be the best threshold test, given the circumstances.

In addition, in a society such as South Africa's, with large informal settlements of a transitory and impermanent basis, large townships in which regulated street and stand addresses are not always available, together with large amounts of internal migration, verification and authentica-

tion of a people who might support a party's right to contest an election may be rendered near impossible. In addition, introducing an alternative will serve to reduce the entire electoral period, with shorter cut-off dates for political parties' list preparations and campaigning period because of the extended lead time that will be required for preparations by the Electoral Commission.

Section 31 is concerned with the regulations regarding the declarations of the final list of parties and candidates allowed to contest the election. The chief electoral officer has, as set out by the Act, to compile the list of parties and or candidates by the date found in the election timetable. This is

meant to ensure efficiency and to guarantee that the processes that lead to voting are on schedule and the entire operation runs smoothly.

See the Electoral Timetable on Page 20

END NOTES

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³ Ibid.

RECENT DEVELOPMENTS IN ELECTORAL LAW

There are two statutory developments that have been instituted recently. One relates to South Africans citizens who will be in other countries on the day of elections of May 7, and the other relates to South African citizens who are incarcerated.

Act No. 18 of 2013 Electoral Amendment Act provides South Africans who are currently, or will be residing, in another country on the day of the election the opportunity to vote. The amendment involved, inter alia, an insertion into section 33 of the Electoral Act that prescribes that the Commission must allow a person who lives in another country the opportunity to vote and those who may happen to be in another country on election day the chance to cast a vote as well. A registered voter either living abroad or who will be abroad

on election day in South Africa (7 May 2014) must have a valid South African ID and a valid South African passport to be eligible to vote abroad on 30 April 2014.

In order for the amendment to the Act to be effected, the IEC, in conjunction with the Department of International Relations and Cooperation (DIRCO), has sought to provide the platform for South Africans living abroad to vote.

In terms of the amended regulations, South Africans living outside of the country who wish to vote in the national election were required to register in person either in South Africa or at one of South Africa's 124 embassies, high commissions or consulates-general, located in 108 countries. These South Africans

need to be in possession of a valid South African identity document (either a green bar-coded South African ID book, a new smart-card ID or a valid temporary identity certificate) AND a valid South African passport in order to register. South African citizens living outside of the country and who are already registered as voters in South Africa do not need to register again.

Chapter 3 of the election regulations, which deals with special votes, has also been revised to accommodate voting by South African citizens abroad. It requires registered voters who will not be in South Africa on election day (including those who registered outside of the country) to notify the chief electoral officer of the IEC of their intention to apply to cast their ballot at a South African diplomatic mission. Notifica-

tions of intention to apply for a special vote are made online via the IEC's website (www.elections.org.za) using a VEC10 form that was made available once the President of the Republic proclaimed the election date. Online applications had to be made within 15 days of the proclamation.⁴

Act 73 of 2003, amended by the Electoral Laws Amendment Act 34 of 2003, in effect, deprived prisoners of the right to vote. The following is taken from the media summary of the Constitutional Court Judgment from an application brought by the South African Institute for Crime Prevention and the Reintegration of Offenders (Nicro) and two prisoners serving sentences without an option of a fine:

"The Constitutional Court upheld an application by the National Institute for Crime Prevention and the Re-Integration of Offenders (Nicro) and two convicted prisoners serving sentences of imprisonment, for an order declaring certain provisions of the Electoral Act to be inconsistent with the Constitution and invalid. The provisions deprive prisoners serving a sentence of imprisonment without the option of a fine of the right to register and vote in the upcoming elections".⁵

Under the Amendment, only those prisoners who were awaiting trial and prisoners given the option of paying a fine were allowed to register to vote. Therefore, the Constitutional Court's majority judgment has insured that all prisoners are able to register to vote unless they do not meet the requirements as set out by Section 8 of the Electoral Act.

Some prisoners' rights activists have criticised the IEC for being more concerned with registering overseas voters than those incar-

cerated potential voters inside of South Africa. This criticism stems from the fact that many prisoners are unable to get access to their identity document or money to secure a temporary identity document.

For the 2014 elections, Correctional Services, in consultation with the IEC, has set up stations inside prisons, where prisoners are able to register to vote. These stations will also be used on the day of the elections for prisoners to cast their vote. There are a total of 241 correctional services facilities that were able to arrange registration centers.

The Electoral Code of Conduct plays an important part in regulating proper conduct by the parties and candidates. Its purpose is to promote the values underscoring the Constitution in general and the elections in particular. It also serves as a basis on which political tolerance can be promoted. The Code includes a public commitment that everyone has the right to freely express his or her political beliefs, to challenge and debate the political beliefs of others, and to freely canvass and campaign. It also lists prohibited conduct such as the use of language or acting in a way that may provoke violence during the election or that may provoke intimidation. It also prohibits the use of inducements or rewards during the campaign, the carrying or display of arms and weapons, or abuse of a position of power. Violations of the Code, especially during the campaign period, are one of the categories of electoral disputes. A number of dispute resolution mechanisms are available to deal with these matters: (a) the party liaison committees, (b) the IEC itself, (c) conflict mediation panels, (d) the police, and (e) the Electoral Court.⁶ Other acts or omissions not covered

by these specific mechanisms are dealt with through the normal course of civil and criminal law.

The Public Funding of Represented Political Parties Act 103 of 1997, in section 10 (1) of the Act as amended by amended by proclamation: R47 GG 27986 31/8/2005, prescribes the allocation of funding to political parties, stipulating that the total amount of funding available for allocations from the Fund during a particular financial year must be announced by the Electoral Commission at the beginning of the financial year. The allocations from the Fund are distributed to the political parties on the formula of ninety (90) per cent of the total amount of funding available, allocated proportionate to the support parties enjoy (in terms of the number of seats held in the National Assembly and Provincial Legislatures jointly) and ten (10) per cent of the total amount of funding available, allocated equitably where the 10% is allocated to a province in proportion to the number of members of the provincial legislature and is then divided equally among the participating parties in the legislature of that province. Funds are paid to parties in four equal installments (on a quarterly basis, in other words). It is significant that, in the legislation, the purposes in connection with which amounts are spent show the amounts spent to be classifiable under certain categories.⁷

Section 5(1)(b) of the Public Funding of Represented Political Parties Act says that the allocation may be used "for any purposes compatible with [the party's] functioning as a political party in a modern democracy", and that these include:

- the development of the political will of people (i.e.

- allowing you to choose);
- bringing the party's influence to bear on the shaping of public opinion (i.e. providing you with a choice);
- inspiring and furthering political education (i.e. keeping you up to date with what is available and who is offering what);
- promoting active participation by individual citizens in political life (i.e. getting people involved);
- exercising an influence on political trends; and
- ensuring continuous, vital links between the people and organs of state (i.e. developing the interface between citizens and public administration)

A political party may not:

- pay any direct or indirect remuneration or other benefit of any kind to any elected representative of the party or to any public servant at any level of government;
- finance or contribute directly or indirectly to any matter, cause, event or occasion if it contravenes any code of ethics binding on members of parliament or any provincial legislature;
- use the money directly or in directly to start any business or acquire or maintain a right or financial interest in any business;
- use the money directly or in directly to acquire or maintain a right or financial interest in any immovable property, unless if solely for ordinary party-political purposes; and
- use the money for anything else that is incompatible with a political party's functioning in a modern democracy.⁸

There is currently no regulatory framework or disclosure regime with respect to private sources of funding for political parties. This is a source of considerable discomfort and agitation among civil actors, with many mobilisation campaigns calling for private funding regulation. On the flipside of the divide, political parties across the divide, and at least the two main parties (the ANC and the DA), find common accord in displaying resistance to disclosing their private funding.

The Independent Communications Authority of South Africa (ICASA) is responsible for the 'Party Elections Broadcasts and Political Advertisements Regulations' in terms of Section 78(1) of the Independent Broadcasting Authority Act.

It regulates party-political advertisements and broadcasts during the election-broadcast period (i.e. from the submission date of party lists to the IEC, up to 48 hours before polling day). During this period the conditions are regulated for acceptance, editing and rejection of political adverts and broadcasts, the time period allocated to each party, and related broadcasting specifications. In this respect no difference is made between any of the parties.⁹

Sections of the Electoral Act specifically relating to voters:

Chapter 2 of the Act is the section that regulates the interaction of the category that will be engaged in the act of voting: the voters.

Section 5 places the duty of gathering and maintaining a voters' roll on the chief electoral officer.

Section 6 regulates who may apply to vote. The Act stipulates that anyone with a valid identity

document may do so.

Section 7 prescribes that voters may register only in the district that they usually live in or in which a member of their household resides.

Section 8 deals specifically with those who must be excluded from the voters' roll. The section explains the criteria the chief electoral officer will employ to judge whether someone applying for registration on the voters' roll will be eligible. The chief electoral officer may not register an individual on the voters' roll if the person did not comply with the regulations as prescribed by the Act, or made the application in a fraudulent manner. Registration will be denied if the person is not a South African citizen, or has been declared to be mentally disordered by the High Court of South Africa, or detained under the Mental Health Act, 1973 (Act No. 18 of 1973). Of course, the Act guards against any duplication on the voters-roll by specifying that an applicant must ordinarily be a resident of the district in which they have applied and that an applicant cannot be entered into more than one voters-roll.

Sections of the Electoral Act that deal with processes are as follows:

Chapter 3, sections 17 and 18, advises that when the president announces the day of the election for the National Assembly and the Provincial Legislature, he or she must set a single date for voting, which was announced by President Jacob Zuma as May 7, 2014. This announcement was made on February 7, 2014, and gazetted on February 25, 2014 – formally proclaiming the election date and the beginning of the electoral period.

Section 20 stipulates that the election timetables must be announced by the Commission after consultation with the party national liaison committee. The Commission is required by law to establish committees on local, provincial and national level in order to facilitate dialogue and consultation between the parties contesting the election and the IEC. Every registered party that has representation in the National Assembly, provincial legislature and municipal councils is al-

lowed to assign no more than two representatives to the relevant committees.

The party liaison committee is a platform that allows for the interface between parties contesting the elections and the Commission presiding over the election, in order to ensure that the elections are fair to all the parties and that practical issues are dealt with through interaction between these actors.

END NOTES

- ⁴ IEC website.
<https://www.elections.org.za/content/For-Voters/How-to-register-and-vote-abroad/>
- ⁵ *Constitutional Court Judgment Media Summary*. Minister of Home Affairs v NICRO and Others, Case CCT 03/04, Page 1
- ⁶ Op. cit. (Kotze).
- ⁷ Fakir, Ebrahim and Holland, Waseem. *ETDP SETA Political Parties Sector Skills Plan 2013/14 Update* (October 2013).
- ⁸ IEC website. <http://www.elections.org.za/content/Parties/Party-funding/>
- ⁹ Op. cit. (Kotze), page 20.

ELECTION TIMETABLE

 			VOTERS WITHIN SOUTH AFRICA		
OFFICIAL TIMETABLE			25 February		Voters' roll closes
25 February			5 March		IEC certifies voters' roll
Wed 5 March 2014			7 April		Opening date for submission of special votes' applications at local IEC offices You can apply for a special vote if you can't travel to your voting station because you're physically infirm, disabled or pregnant; or you can't vote at your voting station on election day.
Wed 12 March 2014			17 April	17h00	Deadline for submission of special votes' applications at local IEC offices
Tues 18 March 2014			5 & 6 May	09h00 - 17h00	Home visits and special votes at voting stations
Mon 24 March 2014			7 May	07h00 - 21h00	Election Day
Fri 28 March 2014			VOTERS VOTING ABROAD		
Fri 28 March 2014 & Mon 31 March 2014			25 February		Voters' roll closes
Tues 1 April 2014			25 February		Opening date for submission of VEC10 notifications Submit your VEC10 online at www.elections.org.za
Mon 7 April 2014			12 March	Midnight (UTC+02:00)	Deadline for submission of VEC10 notifications
Mon 7 April to Thurs 17 April 2014			30 April		Voting day abroad
Thurs 10 April 2014			CANDIDATE NOMINATION PROCESS		
Tues 15 April 2014			25 February	08h00	Opening date for parties to submit candidate lists and deposits at IEC's national office
Tues 22 April 2014			12 March	17h00	Deadline for parties to submit candidate lists
Thurs 24 April 2014			18 March	17h00	Deadline for IEC to notify parties of outstanding documents
Wed 30 April 2014			24 March	17h00	Deadline for parties and candidates to submit outstanding documents
Mon 5 May 2014 & Tues 6 May 2014			28 & 31 March		IEC opens candidate lists for inspection at IEC's national office
7 May 2014			1 April	17h00	Deadline for submission of objections to candidates
			7 April	17h00	Deadline for Commission decisions on objections to candidates
			8 - 10 April		Appeals to the Electoral Court against Commission decisions re candidate objections
			15 April	17h00	Deadline for Electoral Court decisions on appeals
			22 April		IEC releases final lists of parties and candidates contesting the elections
			24 April		IEC issues certificates to parties

THE ELECTORAL AUTHORITY

The Independent Electoral Commission (IEC)

The Independent Electoral Commission (IEC) is the body responsible for managing and administering elections. The IEC was established in terms of the 1993 Interim Constitution and later through the 1996 Act of Parliament. In its vision statement, the IEC declares its main objective as being to 'strengthen constitutional democracy through the delivery of free and fair elections ...' The IEC comprises five Commissioners appointed through a fairly elaborate and rigorous process. The appointment of the Commissioners for the IEC is done by the Constitutional Court, and conducted through five different stages as follows:

- Call for candidates through newspaper advertisements, and short-listing of candidates.
- Interviews of successful candidates conducted by a panel consisting of:
 - President of the Constitutional Court (Chairperson)
 - Representative of Human Rights Commission
 - Representative of Commission on Gender Equality
 - The Public Prosecutor
- The interview panel then submits the names of eight nominees for Home Affairs (PCHA) for recommendation.
- The recommended candidates are submitted to the National Assembly for approval.

- Following National Assembly approval, the names of successful candidates are forwarded to the Minister of Home Affairs for submission to the president for appointment. This elaborate process ensures that the appointments to the Electoral Commission are transparent and non-partisan and therefore have the confidence of all political players. The body so established is therefore autonomous and an impartial manager of the electoral process. Furthermore, the Electoral Act of 1998 contains a binding Code of Conduct for political parties and their candidates. The purpose of the Code is to promote conditions that are conducive to holding free and fair elections, including the promotion of political tolerance, free campaigning and open public debate.

Since its establishment, the IEC has managed and conducted elections with an impartiality and professionalism that has earned it the confidence of all political and social players. The IEC has in fact become a role model of an Electoral Commission on the continent, and has been invited by a number of countries to assist with their respective election processes.¹⁰

Conduct of IEC

The conduct of Commissioners is governed by **Section 9 Act Electoral Commission Act, 51 of 1996**. The first segment of the Act is concerned specifically with the way that Commissioners in the IEC ought to conduct themselves. The Act obliges Commis-

sioners to act with impartiality, to show no bias and to perform duties and functions without any favour.

Ultimately, this part of Section 9 prescribes that Commissioners embody independence. This segment of the Act also stipulates that Commissioners, if they are employed on a full-time basis, may hold no other office but in the Commission. This is to ensure that Commissioners are able to carry out their duties to the highest standards of excellence.

The second segment of Section 9 prescribes what Commissioners are prohibited from doing. These range from Commissioners not being eligible for any other political office through election or appointment, direct or indirect support for a party and or candidate, allow their credibility to be called into question by their affiliation with any group or association, or use any information gained in the Commissioner's office for private gain or profit.

To that end, Commissioners may not disclose any information to an external party within the ambit of their office. Lastly, Commissioners may not be eligible to be appointed as a Member of Parliament, provincial legislature or local government.

END NOTES

¹⁰ Ajulu, Rok. "The State of Democracy and its Implications for 2009 Elections". *EISA Election Update Compendium 2009 EISA* (2010), page 14.

NEGATIVE PERCEPTIONS OF THE ELECTORAL AUTHORITY

The IEC is one of the South African institutions that are meant to uphold and advance democracy. It has largely been able to escape being embroiled in any major controversies. The credibility of a body like the IEC is crucial to the continued credibility of the electoral process, and therefore the legitimacy of the outcome of the electoral process. In recent times, the IEC's credibility has been called into question on two fronts. One of these relates to findings in a Public Protector Report in 2013 that indicated tender irregularities in the leasing of the IEC headquarters. Following a forensic audit investigation, which was recommended by the Public Protector and later commissioned by the Treasury, the audit firm PricewaterhouseCoopers found that the chairperson of the IEC, Pansy Tlakula, who at the time was chief electoral officer, was responsible for a process that was not fair, equitable or transparent, and the process that took place amounted to gross maladministration.¹¹ Advocate Tlakula has herself referred this matter to the courts and the matter is therefore currently sub judice.

The other recent allegations that have emerged against the IEC have called into question issues relating directly to its functioning and operations as a facilitator, manager and impartial administrator of elections. After hearing an application of five independent candidates who were disqualified from running in a by-election in Tlokwe, the courts ordered that five out of eight by-elections be postponed. IEC official John Mokgodi disqualified candidates for not being able to meet the IEC

requirements of at least 50 nominations. The court found that these candidates had in fact met the requirements and therefore their disqualification were invalid and ordered that five out of the eight by-elections be postponed.¹²

This was rectified through the IEC's internal supervisory and disciplinary processes. However, the controversy around the Tlokwe by-elections did not end with the undue disqualification of candidates. It later emerged that the subsequent Tlokwe by-election could possibly have been South Africa's first case of vote-rigging. Eight out of nine wards in the municipality were won by the ANC, and court papers from independent candidates and other parties allege that 2 500 questionable registrations of voters may have occurred. The application advanced by independent candidates, in which it was requested that the elections be set aside and an independent investigation be instituted, came amid allegations that range from the registration of voters whose addresses did not fall within the ward in which they were supposed to vote, to hundreds of voters being registered with incomplete and false addresses. Allegations even extended to the IEC colluding with the ANC to inflate the number of ANC votes in contested wards. The IEC, through the chief electoral officer, Mosotho Moepya, suggests that "no evidential material has been brought before the court in support of the allegations."¹³

The 2014 elections will be the first in South Africa where there

are serious allegations against the credibility of the IEC, and many of the complaints have been taken to court. The Economic Freedom Fighters challenged the validity of the election deposit requirement. This case was dismissed by the court. Dating back to 2012/2013, allegations of improper electoral management and administration have been levelled against the IEC, most of these allegations arising from local government and municipal by-elections, specifically. Allegations have surrounded either issues of irregular voters being on the voters' roll (voters not registered in the area, voters being bussed in from other places or wards), improper and irregular behaviour of electoral officials, candidates being spuriously disqualified to benefit one or other party, or excluding ballot papers in the counting process.¹⁴ With respect to voters voting in by elections they are not entitled to, political parties bear some responsibility for bussing voters in towards where they are not supposed to vote, which is an offence. Voters are meant to register and vote where they live, and currently the IEC does not need proof of residence to register a voter.

Calls have been made for voter registration to occur on the basis of proof of address, but in a country like South Africa with large informal settlements, transient living arrangements as well as large amounts of internal migration, this requirement can effectively serve to disenfranchise a large portion of voters. In any event, early detection systems and internal oversight processes within the IEC have served in large part

to mitigate the risks associated. For instance, for a by-election scheduled to have been held on 24 March 2014, the IEC detected inaccuracies on the voters' roll that could potentially have led to allegations of electoral fraud and on that basis sought to have the by-election postponed.

In any event, many of the most serious allegations against the IEC are germane to local elections and would not be pertinent at national level, since migration, or voting in a different voting station or ward within a province for the national and provincial election would not cause the problems they do at local level.

Systematically, political parties have called the credibility of the IEC into question, often for two primary reasons. The first alleges that the funding environment and media access is unfair. The second alleges that the IEC recruits as officials, members who belong to Unions affiliated to the Congress of South African Trade Unions, which is in alliance with the ANC. Both of these allegations are misplaced. The public funding regulatory regime is determined by an Act of Parliament, and the adoption of a disclosure or regulatory regime governing private funding of political parties requires adoption and inception through Parliament. Neither

of these is within the ambit or the authority of the Electoral Commission of South Africa.

With respect to biased electoral officials, the IEC requires close to (200 000) two hundred thousand electoral officials to execute an electoral process. Overall, the number of complaints made against electoral officials as a proportion of the number of actual electoral officials is miniscule. In addition, the fact the all parties are entitled to have party agents or poll watchers present at every voting station should allay fears of widespread irregular behaviour from electoral officials. In addition to party agents' presence in voting stations, further oversight and transparency mechanisms, through the multi-party liaison committees and conflict panels, provide further safeguards and complaints mechanisms in addition to the internal supervision and disciplinary codes as well as the adjudication of the electoral court in serious matters. This ought to instill confidence in the impartial administration of the elections. In addition, the vetting and verification processes used by the electoral commission in recruiting of staff are underwritten by legal safeguards in the Electoral Act 73 of 1998. Chapter 6, part 3, section 82 sets out criteria concerning the appointing of officers by expressly ex-

cluding candidates contesting the election, party agents as well as individuals holding political office in a registered political party. These provisions are further elaborated and given effect to in subsections of the Act, prescribing a declaration of secrecy as well as a prescribed oath to be taken by officials.

Thus, the oversight, transparency and accountability mechanisms within both the law and the consequent regulatory frameworks appear to be sufficiently robust to ensure the credible management and administration of the elections.

END NOTES

- ¹¹ "Tlakula and IEC committee guilty of gross maladministration" SABC (26 August 2013), <http://www.sabc.co.za/news/a/2a78fc8040dd8ae49ebfbf434f2981a1/Tlakula-and-IEC-committee-guilty-of-gross-maladministration--20130826>
- ¹² Nandipha, Khuthala, "IEC credibility in question after Tlokwe judgment", Mail and Guardian Online (18 Sep 2013) <http://mg.co.za/article/2013-09-18-00-iec-credibility-questioned-after-tlokwe-judgment>
- ¹³ "Independent candidates claim Tlokwe by-elections were rigged", South African Press Association, SAPA, 26 January 2014.
- ¹⁴ "IEC probes Nongoma by-elections" 2013-10-29. News 24. Available at; <http://www.news24.com/SouthAfrica/Politics/IEC-probes-Nongoma-by-elections-20131029>

ELECTORAL SYSTEM

The electoral system that has been in place since 1994 is the list or proportional representation (PR) system. Prior to that, the apartheid regime used the British first-past-the-post (FPTP) system. The PR system applies only to the national and provincial elections. For the local elections,

a combination of the FPTP and the OPR system was preferred. The rationale for this arrangement was the need to maintain some degree of accessibility and accountability at the local level.

The choice of the PR system was, however, informed by the politi-

cal expediency of reconciliation. Recognising the exclusionary character of the FPTP, it was felt that the PR system would achieve the objective of deliberately broadening representation at the national and provincial levels, as each vote would count and there would be no winner-takes-

all outcome. Furthermore, it was recognised that it would be a logistical nightmare attempting to demarcate non-racial constituencies in a country where apartheid social engineering had designated residential areas on a racial basis. Hence, no constituencies were drawn up and the entire country was treated as one constituency.¹⁵

One of the main democratic advantages of the South African PR application is that it treats all votes as absolutely equal in value, because the threshold is the absolute minimum, namely the quota for one parliamentary seat. Small parties benefit from it, because their representation is directly equal to the number of votes they received. The problem with the electoral system is therefore not among the parties but between the parties and the voters.

Representivity is another consideration. According to the Report of the Independent Panel

Assessment of Parliament (13 January 2009), Parliament will be representative if it is 'socially and politically representative of the diversity of the people, and ensuring equal opportunities and protections for all its members' (page 22). Representivity, according to the Panel, is determined by the rights in Section 19 in the Constitution. The Constitution's main prescription is that the electoral system must result, in general, in proportional representation. Up to the 2004 general election the PR system based on rigid party lists was used.

The same system will also be used in the 2014 election. The system has been criticised mainly because it does not promote the values of accountability and representivity. In the absence of constituency representatives, voters feel alienated from the elected representatives. The Electoral Task Team (ETT), chaired by Frederick Van Zyl Slabbert, made

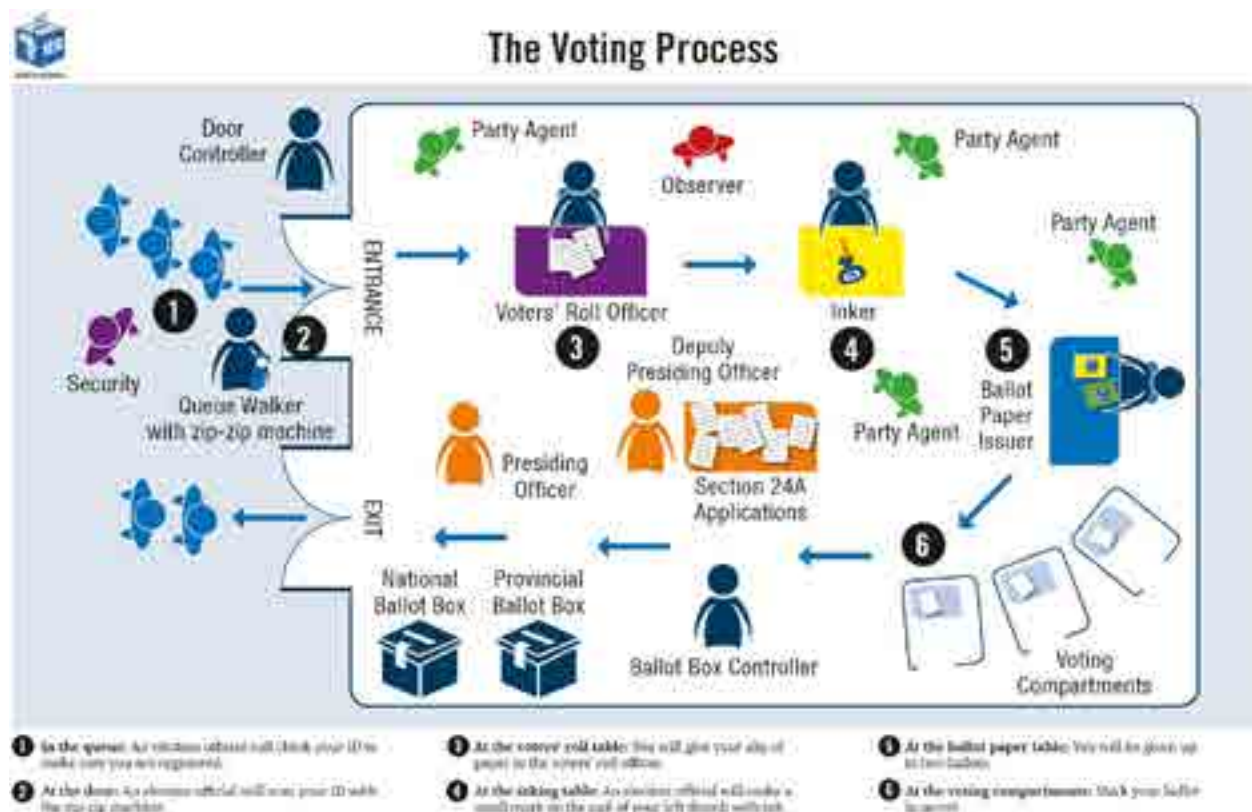
the following succinct observation about the relevance of an electoral system for accountability and other democratic values (ETT, page 9):

The point was emphasised that no electoral system can compel an elected representative to behave democratically, take care of a constituency or party responsibilities, or be a disciplined, dedicated Member of Parliament. In so far as these issues may relate to accountability, additional measures, policies, rules or regulations are needed to operate alongside or parallel with an electoral system.¹⁶

END NOTES

¹⁵ Ajulu, Rok. "The State of Democracy and its Implications for 2009 Elections". *EISA Election Update Compendium 2009 EISA* (2010), page 14.

¹⁶ Op. cit. (Kotze), page 19.



WORKINGS OF THE ELECTORAL SYSTEM

Under the PR system the whole country is treated as one constituency. Parties contesting elections prepare lists of candidates for the National Assembly as follows:

- A National Assembly List
- Province to National Assembly List
- Province to Province List for each of the nine provincial legislatures¹⁷

Calculation of Seats in National Assembly

For voters, voting is simple: they are given a ballot, which lists all the parties (with a picture of their logo), and they vote for the party list of their choice. The allocation is more complicated and takes place in two stages.

The composition of the National Assembly and Provincial Legislature is regulated by legal statute as per Schedule 3 of the Electoral Act and Section 46 of the Constitution called National Assembly. South Africans also cast two ballots—one for the national party list of their choice, and one for the provincial party list of their choice.

Seats in the National Assembly are allocated by means of a two-stage procedure that combines two methods of PR. In the first stage, the seats in each province are apportioned according to the largest remainder method. In each province a quota of votes per seat is calculated by dividing the total number of votes cast in the province by the number of provincial seats, plus one. The result plus one, disregarding fractions, becomes the required

number of votes for a seat in the provincial legislature. To determine how many seats each party will receive in the region, its total number of votes is divided by the quota of votes per seat. This will produce a whole number, which is the number of seats initially allocated to the party, and a surplus or remainder. Once this calculation is performed for all parties, the sum or aggregate number of allocated seats is obtained. If this total is smaller than the number of regional seats, unallocated seats are awarded to the parties according to the descending order of their remainders. The seat distributions from all provinces are aggregated at the national level to obtain the number of regional list seats allocated to each party.

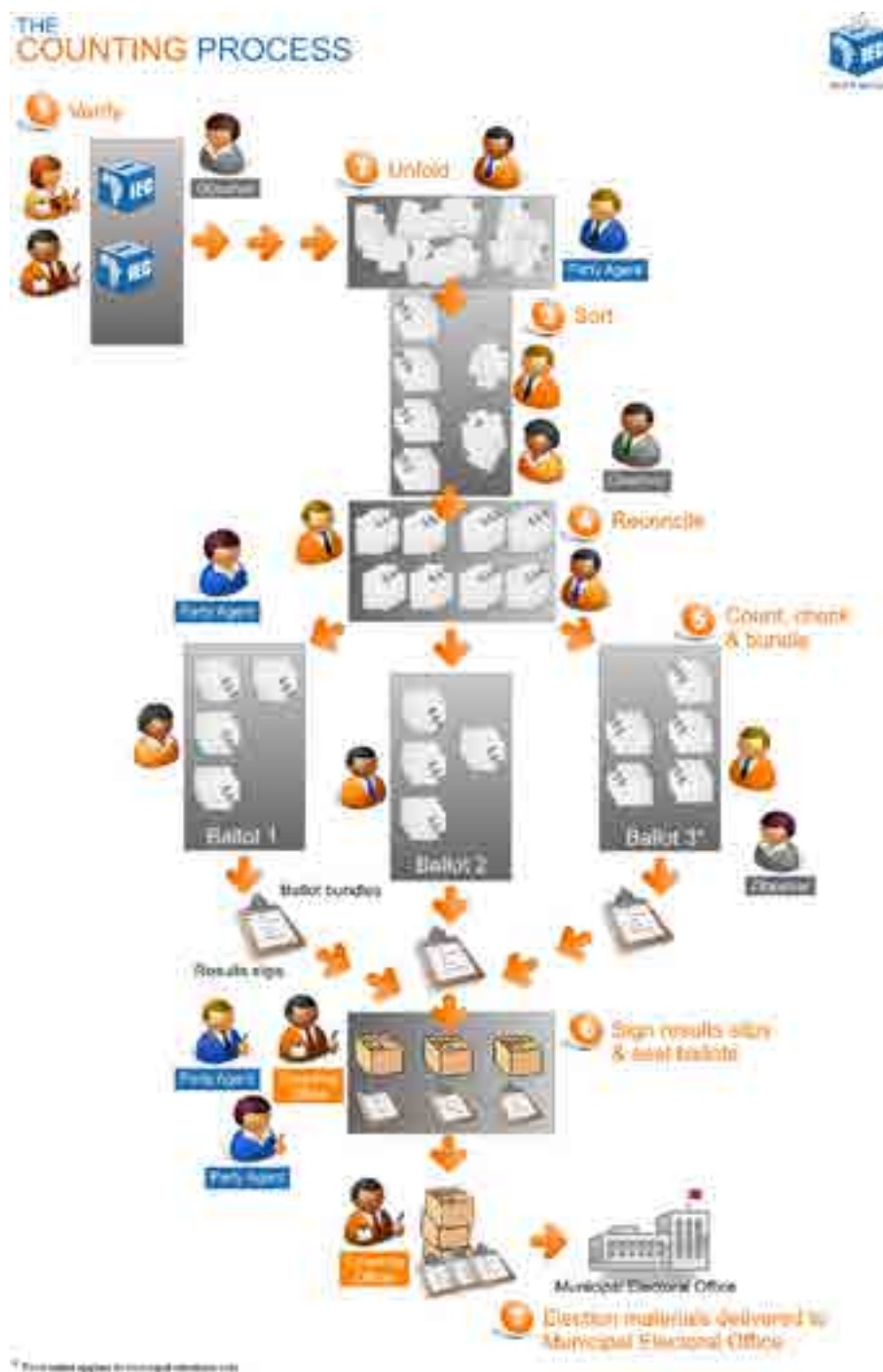
The second stage begins with the proportional distribution of all 400 seats in the National Assembly. To that end, a quota of votes per seat is determined by dividing the total number of votes cast across the nation by the number of seats in the National Assembly, plus one. The result plus one, disregarding fractions, becomes the quota of votes per seat. To determine the number of seats each party will receive, its total number of votes is divided by the quota of votes per seat. This will produce a whole number, which is the number of seats initially allocated to the party, and a surplus or remainder. Once this calculation is performed for all parties, the sum or aggregate number of allocated seats is obtained. If this total is smaller than the number of seats in the National Assembly, unallocated seats are awarded to the parties according to the descending order of their remain-

ders, up to a maximum of **five** seats. Any remaining seats are awarded to the parties following the descending order of their average number of votes per allocated seats.

The regional list seats won by a party are then subtracted from the total number of seats allocated to that party's list, and the remaining seats are filled by the candidates on the national list in the order determined before the election. In the event a party does not present a national list, the seats allocated to it at the national level are filled from its regional lists. The largest remainder method of PR is also used to elect members of the nine provincial legislatures.¹⁸

For example, from the 1999 election, in order to allocate the 46 seats that Gauteng Province elects to the National Assembly, the total vote in the province for the provincial lists (3,707,595) was divided by $46+1$, i.e. 47 to establish a quota for each seat of 78,885. Each party's vote was then divided by the quota + 1, i.e. 78,886. Thus, the ANC, which obtained 2,488,780 votes in Gauteng for its provincial list, was awarded 32 seats. The ANC received an additional 31 seats from its vote in Gauteng for its national list for a total of 63 seats from the province.

Regional Seats				
Province	1994	1999	2004	2009
Eastern Cape	26	27	28	26
Free State	15	14	13	12
Gauteng	43	46	45	47
KwaZulu-Natal	40	38	37	39
Limpopo	20	20	21	19
Mpumalanga	14	14	14	15
Northern Cape	4	4	4	5
North West	17	17	17	14
Western Cape	21	20	21	23
Total	200	200	200	200



Criteria for Democratic Elections?

The democratic principle “the will of the people” is put into practice during the process of elections. The “will of the people” is realised through the assurance that voters are free to make an informed choice about who they wish to vote for, without fear of intimidation or harm, and those groups, individuals or parties, who will be contesting the elections are given the platform

to freely conduct campaigns to garner the votes of free citizens. These platforms used by parties to campaign for votes ought to be regulated so that there is no bias towards any party in order to guarantee that the process is fair.

In modern liberal democracies, the phrase *free and fair* has become the principle that underpins elections for government offices. *Free* relates to the broader climate of expression, movement, speech and association and more specif-

ically with voters being able to freely cast a vote. *Fair* relates to a reasonably level playing field that must exist between parties (incumbent, opposition) in the actions of campaigning, advocating and mobilising in an election. It also relates to the incumbents not unfairly using their office to hamper the electoral chances of others through the electoral administrators, media or security services.

The following is a table that depicts what ought to occur before, during and after an election in order for that election to be considered free and fair:

FREE	FAIR
POLLING DAY	
Freedom of movement, – speech (for candidates, the media, voters & others), – assembly, – association, – from fear in relation to election & electoral campaign, absence of impediments to standing for election (for political parties and independent candidates), & equal & universal franchise.	Transparent electoral process, election act & system that grant no special privileges to any political party or social group, independent & impartial electoral commission, impartial treatment of candidates by policy, army & courts, equal opportunities for parties & candidates to stand for election, impartial voter education, orderly campaign (observance of Code of Conduct), equal access to publicly controlled media, impartial allotment of public funds to parties, no misuse of government facilities for campaign purposes.
POLLING DAY	
Opportunity to participate in the election	Access to all polling stations for party representatives, accredited observers (local & international) & the media, secrecy of the ballot, no intimidation of voters, effective design of ballot papers, impartial assistance to voters (if required), proper counting procedures, proper treatment of void ballot papers, proper precautionary measures when transporting election materials, impartial protection of polling stations.
POST-POLLING DAY	POST-POLLING DAY
Legal possibilities of complaint	Official & expeditious announcement of election results, impartial treatment of any election complaints, impartial reports on the election results by the media, acceptance of the election results by all involved

Table 1: Elklit & Svensson’s criteria for free and fair elections 1997: 32-46

END NOTES

¹⁷ Op. cit. (Ajulu), page 14.

¹⁸ Alvarez-Rivera, Manuel.
“The Republic of South Africa

Electoral System”, Electronic
Resources on the Internet, (August
2010) <http://electionresources.org/za/system/>

2014 NATIONAL AND PROVINCIAL ELECTIONS – VOTER REGISTRATION STATISTICS AND PARTY REGISTRATION

The voters' roll for 2014 elections

The certification of the voter's roll for the May 7 2014 national and provincial elections indicates that there will potentially be 25 390 150 voters who will cast their votes on election day.

There are 2 208 153 more voters (9.5% increase) than there were on the voters' roll for the 2009 national and provincial elections.

There is an overall increase of 7.2 million (39.72% increase) on the voters' roll from when it was first established in the 1999 elections. The voters' roll reflects a total of 80.80% of registered voters when compared against the estimated voting age population according to estimates from Statistics South Africa. In comparison, registration levels stood at 80% in 1999, 84.6% in 2004 and 84.07% in 2009.

Gauteng has the highest number of voters, with just over 6 million, followed by KwaZulu-Natal with 5.1 million, the Eastern Cape with 3.24 million and the Western Cape with 2.9 million. Between them these four provinces make up almost 68% of all voters.¹⁹

The following are the provincial breakdowns:

NPE 2014 Certified Voters' Roll: 5 March 2014			
Percentage (%) registration against Stats SA VAP by province			
Province	STATS SA VAP Estimate	Certified Voters' Roll (5 March 2014)	% Voter registration
Eastern Cape	3 794 352	3 240 059	85.4%
Free State	1 685 198	1 449 488	86.0%
Gauteng	7 860 280	6 063 739	77.1%
KwaZulu-Natal	6 096 509	5 117 131	83.9%
Limpopo	3 004 795	2 440 348	81.2%
Mpumalanga	2 389 406	1 860 834	77.9%
North West	2 120 381	1 669 349	78.7%
Northern Cape	711 843	601 080	84.4%
Western Cape	3 771 271	2 941 333	78.0%
Out of Country		6 789	
Total	31 434 035	25 390 150	80.8%

An analysis of the changing pattern of the voters' roll over previous elections shows the continuing migration of people from rural areas to the major centres. The

biggest increase in voter numbers over the past 15 years has come in the provinces of Gauteng (up 1.9 million), KwaZulu-Natal (up 1.67 million) and Western Cape

(up 1 million). The smallest increase has come from the North West, which has grown by just 141 677 voters since 1999.

The following is a comparison of the voters' roll and turnouts for the previous national and provincial elections:

Voters' Roll Comparison and Turnout								
	Elections 1999		Elections 2004		Elections 2009		Elections 2014	
Province	1999 Voters' roll	Total Votes Cast (national ballot)	2004 Voters' roll	Total Votes Cast (national ballot)	2009 Voters' roll	Total Votes Cast (national ballot)	2014 Voters' roll	% In- crease in regis- tered voters from 1999
Eastern Cape	2 454 543	2 188 184	2 849 486	2 277 391	3 056 559	2 344 098	3 240 059	24.53%
Free State	1 225 730	1 094 776	1 321 195	1 022 044	1 388 588	1 069 127	1 449 488	13.29%
KwaZu- lu-Natal	3 443 978	2 958 963	3 819 864	2 765 203	4 475 217	3 574 326	5 117 131	29.94%
Limpopo	1 847 766	1 660 849	2 187 912	1 657 596	2 256 073	1 570 592	2 440 348	22.10%
Mpumalanga	1 277 783	1 132 517	1 442 472	1 134 092	1 696 705	1 363 836	1 860 834	32.79%
North West	1 527 672	1 307 532	1 749 529	1 323 761	1 657 544	1 135 701	1 669 349	8.50%
Northern Cape	377 173	327 950	433 591	323 201	554 900	421 490	601 080	47.12%
Western Cape	1 864 019	1 601 922	2 220 283	1 605 020	2 634 439	2 049 097	2 941 333	41.33%
Out of Country							6 789	
Total	18 172 751	15 977 142	20 674 926	15 612 671	23 181 997	17 919 966	25 390 150	39.72%
Registered %	80.00%		84.60%		84.07%		80.80%	
Voter turn- out %	87.92%		75.52%		77.30%		7 May 2014	

A gender analysis shows that women outnumber men by 13.94 million (54.9%) to 11.45 million (45.1%) on the voters' roll. The voters' roll also shows that South Africa is still a relatively young population, with 49.57% of the registered voters under 40 years old. The biggest segment of voters is those aged 30 – 39 (6.18 million) followed by 20 – 29 year olds (5.7 million) and 40 – 49 year olds (5 million).

The age and gender breakdown is as follows:

Age Band	Female	Male	Total	%
18 – 19	349 957	296 356	646 313	2.55%
20 – 29	3 098 577	2 660 659	5 759 236	22.68%
30 – 39	3 223 740	2 956 794	6 180 534	24.34%
40 – 49	2 693 943	2 313 558	5 007 501	19.72%
50 – 59	2 111 311	1 684 820	3 796 131	14.95%
60 – 69	1 301 401	963 313	2 264 714	8.92%
70 – 79	741 549	418 950	1 160 499	4.57%
80	417 825	157 397	575 222	2.27%
Total	13 938 303	11 451 847	25 390 150	

Parties that will appear on the National Ballot for the 2014 Elections

A total of 29 parties will contest the national elections on 7 May following the 24 March 2014, 17:00 deadline for parties to submit all outstanding documentation and pay election deposits, the Electoral Commission says on Tuesday.

This is four fewer than the 33 parties that had provisionally indicated their intention to contest the National elections. This remains the highest number of parties to contest a democratic National Election in South Africa's history.

The following parties failed to rectify their non-compliance in respect of the required election deposit for the national election and will therefore not be on the ballot paper:

- African Unite Party
- Iqela Lentsango – Dagga Party
- Lekgotla for Democracy Advancement
- South African Progressive Civil Organisation.²⁰

The following is the provisional list (in alphabetical order) of parties that will be contesting the national elections. In brackets we indicate which specific provinces, in addition to national, the parties are contesting.

1. African Christian Democratic Party (All Provinces)
2. African Independent Congress (Eastern Cape, Western Cape)
3. African National Congress

- (All Provinces)
4. African Peoples Convention (All Provinces)
5. Agang South Africa (Eastern Cape, Gauteng, Mpumalanga, Limpopo, North-West, Western Cape)
6. Al-Jama-ah (Western Cape)
7. Azanian Peoples Organisation (All Provinces)
8. BushBuckRidge Residents Association (Mpumalanga)
9. Congress of the People (All Provinces)
10. Democratic Alliance (All Provinces)
11. Economic Freedom Fighters (All Provinces)
12. First Nation Liberation Alliance (Northern Cape, Western Cape)
13. Front National (Gauteng)
14. Independent Civic Organisation of South African (Free State, Gauteng, Northern Cape, Western Cape)
15. Inkatha Freedom Party (All Provinces)
16. Keep It Straight and Simple (Only National)
17. Kingdom Governance Movement (Eastern Cape, Gauteng, KwaZuluNatal, Western Cape)
18. Minority Front (Gauteng, KwaZulu-Natal)
19. National Freedom Party (ALL Provinces)
20. Pan Africanist Congress of Azania (ALL Provinces)
21. Pan Africanist Movement (NO Provinces)
22. Patriotic Alliance (Free State, Gauteng, Northern Cape, Western Cape)
23. Peoples Alliance (Western Cape)
24. Ubuntu Party (No Provinces)
25. United Christian Democratic Party (All Provinces)

26. United Congress (Eastern Cape)
27. United Democratic Movement (All Provinces)
28. Vryheidsfront Plus (All Provinces)
29. Workers and Socialist Party (Gauteng, Limpopo, North West)

The following is the provisional list (in alphabetical order) of parties that will be participating in provincial elections only:

1. African National Party (Western Cape)
2. Indigenous Peoples Organisation (Western Cape)
3. KwaZulu-Natal Transport Alliance (KwaZulu-Natal)
4. Merafong Civic Association (Gauteng, Limpopo)
5. National Party South Africa (Western Cape)
6. Patriotic Movement of South Africa (Eastern Cape)
7. Sibanye Civic Association (Western Cape)
8. SINDAWONYE Progressive Party (Mpumalanga)
9. South African Maintenance and Estate Beneficiaries Association (Limpopo)
10. South African Political Party (North West)
11. South African Progressive Civic Organisation (Western Cape)
12. Truly Alliance (Kwa-Zulu Natal)
13. Ubumbano Lwesizwe Sabangoni (Kwa-Zulu Natal)
14. Unemployed Movement SA (Limpopo)
15. Ximoko Party (Limpopo)

Province	Number of Parties
Eastern Cape	18
Freestate	15
Gauteng	21
KwaZulu-Natal	18
Mpumalanga	16
Northern Cape	16
Limpopo	19
North West	16
Western Cape	26

Table showing number of parties that paid the election deposit per province.

Any objection to lists of candidates in terms of Section 30 of the Electoral Act (Act 73 of 1998) must be submitted to the Electoral Commission's head office in Centurion in writing before 17H00 on Tuesday 1 April 2014. Such objections must indicate the reason for the objection to a candidate and must show that a copy of the objection has also been lodged with the relevant political party.

The Commission will rule on the objections by Monday 7 April 2014 and any appeals to the rulings must be submitted to the Electoral Court by 10 April 2014.²¹

The final list of candidates contesting elections is to be published on 22 April and certificates will be issued to candidates by 24 April.

END NOTES

¹⁹ Official Data of the Electoral Commission of South Africa

²⁰ From IEC website, <http://www.elections.org.za/content/About-Us/News/Four-Parties-removed-from-National-Ballot-Paper-for-7-May-Election/>

²¹ From IEC website, <http://www.elections.org.za/content/About-Us/News/Four-Parties-removed-from-National-Ballot-Paper-for-7-May-Election/>



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THE PATH OF THE PAST: SOUTH AFRICAN DEMOCRACY TWENTY YEARS ON

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Douglass North would have had no trouble understanding that the key issue in this year's election is whether it can strengthen the patterns of the past two decades which have cemented democracy's form – and begin to change those which have denied many South Africans its substance.

North, a Nobel Prize-winning economic historian, came up with the idea of 'path dependency' to describe the way the patterns of the past tend to shape the future.¹ His point was that the institutions which became entrenched in societies could retain a stubborn hold, even when society seemed to have experienced great changes. This is in many ways a useful way of understanding South Africa's first two decades of democracy.

The Contours of Path Dependency

To say this is not to claim, as many now do, that 'nothing has changed' since 1994.

Much has changed. Most South Africans are no longer subject to crippling burdens imposed on them because of their race – the days when most adults spent time in prison simply because they had neglected to carry their 'pass' allowing them into the cities² are over. The 'black middle class', which some apartheid strategists hoped would develop a stake in white domination, emerged when minority rule ended. Millions now receive social grants,³ and significant progress has been made in extending basic services.⁴ But path dependency remains a core element of the South African reality, because it is becoming increasingly clear that the 'democratic breakthrough' of 1994 did not fundamentally change the patterns of the past – it simply absorbed a section of the black majority into the institutions which existed then and the elites which dominated them.

One of the key features of the new South Africa is the collective bargaining system, a subject of heated controversy, as employers claim that excessive union rights have created 'inflexible labour markets'. But the system is, in essence, the 1924 Industrial Conciliation Act extended to include black workers. While workers

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do enjoy more rights now, the contours of the system have remained much the same over 90 years.⁵ Similarly, competitive elections have been institutionalised in the post-apartheid era – despite grumbles that ‘voting changes nothing’, the principle that governments will continue to be elected in regular multi-party contests is under no serious threat and has become an accepted feature of political life. This is no small achievement in a deeply divided society scarred by deep inequalities – yet it continues an unbroken pattern which dates to at least 1910 when the (white) South African state was formed. Regular elections have always been a feature of South African politics – the key change in 1994 was that everyone could participate.

These two examples may show how path dependency can work in democracy’s favour: if democratic institutions are created for a minority, they may be more likely to endure when everyone takes part in them. But some of its other consequences are not nearly as benign. The most obvious example is poverty and inequality. As suggested earlier, the 2011 census, the most recent source of data, finds that significant progress has been made in access to services. But income inequality has not changed dramatically since 1994⁶ – and it still bears a racial tinge: white incomes have increased faster than those of other races since democracy’s advent.⁷ In 2010, according to the Johannesburg Stock Exchange, black South African investors owned only 18% of the available share capital in the top 100 listed companies.⁸ By 2009, *the percentage of black professionals* in accounting, engineering and law remained at 12%, 24% and 21% respectively.⁹ So the life chances of the majority are improving,

but the hierarchies of the past remain, albeit in a slightly different racial form.

There are similar patterns in access to democratic citizenship and responsive government. In the suburbs, a democracy exists so vigorous in its denunciation of government that it has become difficult to say anything positive about it without risking ridicule or abuse.¹⁰ But in the townships and shack settlements, local power holders seek to retain a monopoly, partly by using force against independent voices which challenge them – the experience of the shack dweller movement Abahlali basemjondolo, which faced severe violence after challenging the authority of the local council in the Durban area,¹¹ is only one example. This pattern is also part of another path-dependent feature of post-apartheid democracy. While previous elections have, by common consent, been free and fair (at least in the sense that the losers accept the results), they have not been very competitive – voting districts tend to be dominated by single parties whose opponents have conceded their territory to them.¹² This pattern was partly disturbed in the 2009 election by the formation of the Congress of the People (Cope), which challenged the ANC in its areas of dominance. But, this exception aside, the political landscape has been an archipelago of political fiefdoms in which allegiance strongly corresponds to race and other ascriptive identities. Finally, despite the fact that the suburbs are the electoral fiefdom of the opposition, they enjoy higher standards of municipal government efficiency and greater responsiveness because, in any democratic society, resources, organisation and the confidence needed to hold officials to account usually translate into influence, regardless of elec-

toral outcomes.

To those who know South African political history, these features of the landscape should sound familiar – they are much the same as those which prevailed before 1994. Then too, some prospered at the expense of the many, the suburbs were much better governed than the townships, and a minority enjoyed the right to speak (and vote) which the majority was denied. For all the real gains made over the past two decades, the country has not embarked on a fundamentally new path. In some ways, this is an asset because institutions which operated then for the few have been broadened (electoral democracy chief among them). But the persistence of patterns of social and economic domination threaten the society.

Thus another form of path dependency is the degree to which citizens continue to use street demonstrations to express themselves: while much media reportage and commentary tend to assume that protest is a new phenomenon, it has been an almost constant reality since 1976, when the Soweto uprising began – only in the mid-1990s, in the first flush of democratic enthusiasm, did protest briefly subside.¹³ Protest is a democratic right and there is evidence that protestors are usually the victims rather than the perpetrators of violence¹⁴ – so demonstrations cannot be seen as severe threats to social order. But where citizens feel they have a voice, protest is employed only as a last resort: the fact that it has become a regular feature of public life suggests that many citizens do not believe that they have other ways of making themselves heard. Since most protests remain bottled up in areas where the affluent (and the media) do not go, they have lim-

ited effect on the society. They are also unlikely to have much influence on the election. Protest leaders in some areas have successfully organised boycotts of voter registration,¹⁵ but this did not prevent the IEC reaching its target of registering 1,25m new voters.¹⁶ Many of the protests are not aimed at the ANC – they are often organised by ANC politicians seeking to enhance their influence within the organisation.¹⁷ There is, therefore, no necessary reason why the protesters should vote against the ANC. For some years, it has been regularly predicted that protests would be followed by a significant election stay-away by ANC supporters.¹⁸ The predictions have been inaccurate, partly because protesters often see no contradiction between campaigning against an ANC mayor and supporting the party at the polls.

Path dependency has had a more damaging influence in the formal workplace: the patterns mentioned here are also a key cause of labour conflict, epitomised by the Marikana shootings of 2012. It is now widely agreed that worker indebtedness is a key reason¹⁹ – and this in turn is prompted both by a desire to buy consumer goods which, in an unequal society, confer status²⁰ and by a need to feed unemployed dependants.²¹ Unauthorised strike action on the mines, the rise of the Amalgamated Mining and Construction Union (Amcu), a rival to Cosatu's National Union of Mineworkers (NUM), and tensions within Cosatu all suggest that a significant section of union membership is rebelling against a leadership which they believe has failed to protect them from the wage pressures they face. A persuasive analysis thus argues that the bargaining system is facing severe pressure from pre-1994 patterns which it is struggling to

manage.²²

Much the same might be said about the society. Tensions between government and business,²³ which hamper economic progress, industrial conflict, and a national debate marked by angry yelling rather than a search for common ground, all testify to the unresolved tensions which are the legacy of path dependency. The racial features of the conflict are never far from the surface, even if an assertive black professional class is also eager to yell at the ANC government – black business people and professionals recently phoned in to a radio station to say that experiences at white-run workplaces have convinced them that they will not vote for the governing party if it appoints a white person as a provincial premier;²⁴ a public commentator observes that the political majority remain a cultural minority.²⁵ That much public commentary which claims to 'speak truth to power' is an attempt to defend the racial hierarchy of the past is evident when a commentator insists that corruption under apartheid was 'incidental', while under majority rule it is 'systemic',²⁶ or when a journalist, in an article portraying a white constitutional court judge as a moral antidote to a black state president, declares that growing up as a white person in poverty under apartheid meant that he had 'endured much the same hardship and discrimination as the most unfortunate of his compatriots',²⁷ so delegitimising the moral critique of legislated black subordination under apartheid. All this suggests that the racial hierarchies of the past are still alive, despite two decades of political change.

South Africa faces a twin challenge – to retain those aspects of path dependency which strengthen democracy (of which

multi-party elections are the most obvious) and to begin dismantling those which threaten it. It is in this context that the country nears the 2014 election. The links between the impending ballot and the points made here may not be immediately apparent, but there is a direct connection. While the election's capacity to change the society's direction has been exaggerated, it will test the degree to which the beneficial aspects of path dependency can be maintained – and could begin a process in which some of its corrosive effects are addressed and a new, more sustainable, path emerges.

Free and Fair? Elections Under Pressure

One implication of this analysis is that, while regular elections are now routine, the commitment of the parties to free and fair elections is yet to be fully tested.

It is one thing to hold regular elections when the result is not in doubt, quite another when the outcome could determine who holds power. While whites enjoyed regular elections from 1910, power changed hands at the ballot box only twice – in 1924 and 1948. After that, the white electoral system was never tested. Since 1994, of course, there has been no change of power at the national level and so no test of the system. It is at least possible that, if elections become far more competitive, the integrity of the electoral process will be tested. The background presented here suggests that, if parties' hold over their bastions or their constituencies is threatened, elections might turn out not to have been institutionalised at all. There are expectations that the 2014 election may provide such a test.

First, the election is expected to be more competitive than any of its predecessors. Second, it has been suggested that its integrity is under threat. On the first score, the governing party faces a greater challenge than in the past. ANC documents acknowledge dissatisfaction within its voter base,²⁸ and it also enters the campaign with a key source of election-time organisation, the Congress of SA Trade Unions, at war with itself;²⁹ another, the ANC Youth League, has been deprived of much of its organisation by the dissolution of branches and regions.³⁰ The official opposition, the Democratic Alliance, is actively campaigning in traditional ANC areas and the Economic Freedom Fighters are seen by commentators as a threat to its electoral base. On the second, allegations of irregularities in municipal elections in Tlokwe, North West Province,³¹ have raised the first serious doubts about the integrity of the Independent Electoral Commission. Allegations of financial impropriety levelled at the head of the IEC, Pansy Tlakula, have prompted one party leader, Bantu Holomisa of the United Democratic Front, to claim that elections will be rigged.³²

Both the expectation of intense competition and of electoral irregularity seem exaggerated. The leader of the Opposition, Helen Zille, has scaled down her party's initial target of 30% and has predicted that the ANC will win 60%, only a few percentage points less than its current vote.³³ This is consistent with a trend visible in many municipal by-elections – that the ANC remains fairly secure in its traditional strongholds and that the threat to its hold on office is very limited. A very different picture might be evident in 2019 if the National Union of Metalworkers of SA (Numsa) decides to form a left-wing

worker's party to challenge the ANC. In December, Numsa announced that it would no longer campaign for the ANC and that it would be considering a range of options, including a new party.³⁴ This decision will have only a marginal effect on the current election. While Cosatu's support is crucial to the ANC and Numsa is currently its biggest union, Numsa has left it to its members to decide who to vote for and will thus not be campaigning against the ANC. But, if it forms the party some time after this election, it could fundamentally change the electoral power balance. If the ANC does get a little over 60% in this election, it may be realistic to assume that it will experience a further drop in 2019: a workers' party would then need only around 10% to deprive the ANC of a majority. Local elections in Tlokwe have confirmed a key principle of South African party politics – that the chief threat to the ANC's hold on national government is a split in its own ranks rather than a growth in the support of current opposition parties.³⁵ The Numsa-initiated party could become that split, in which case, electoral democracy will face its litmus test.

For this election, the fact that the DA is campaigning in traditional ANC areas – and the EFF is seeking support from ANC voters – does destabilise some traditional party fiefdoms and has led to clashes on university campuses.³⁶ But the 2009 election prompted similar fears, both because the ANC was encroaching on IFP territory and Cope was encroaching on ANC territory: in the event, the conflict was largely contained.³⁷ Fears of electoral irregularity are based on one incident which was rapidly detected: nor is it clear how Tlakula's financial dealings compromise the fairness of the electoral process. The Electoral

Commission allows direct participation by the parties – as long as this remains so, irregularities will be checked by the surveillance of the aggrieved party.

An allied concern is that enhanced electoral competition and the concomitant threat to the ANC will prompt an assault on another beneficial feature of path dependency: the civil liberties enjoyed in great measure by the suburbs and to a lesser degree by everyone else.³⁸ While complacency in the face of threat is dangerous for democracies, for now at least, this concern seems have more to do with a largely ignored South African phobia than reality. Almost three decades ago, the liberal scholar David Welsh pointed to the similarities between attitudes to the poor in 19th century Britain and mainstream white attitudes to black people here:³⁹ the dominated group is seen as dangerous and to be biding its time before engaging in savage acts of retribution – the nightmare of the black uprising which despoils that which is valued by the property owners of the suburbs lurks beneath the surface. There is some evidence that this attitude remains prevalent and that, in a particularly poignant example of path dependency, it has been embraced by many middle-class black people – how else can one explain the tendency to bestow mythical powers on politicians who appear eager to lead the uprising such as Winnie Madikizela-Mandela and Julius Malema?

It is only a small jump from this to the notion of the ANC, often seen as the embodiment of the threat, as a wrecker of constitutional democracy when backed into a corner. And yet there is no evidence to support this claim – at least in the suburbs. Perhaps the best evidence was the Public Protector's report on the pres-

idential homestead in Nkandla – while it was directed at senior ANC figures, including the president, the senior leadership of the ANC not only refrained from attacking the office (rather than the report) but rebuked its youth and student wings for doing so.⁴⁰ This probably has less to do with democratic principle than political calculation – a sense by ANC leaders that the costs of acting would sharply outweigh the benefits. This makes the prospect of a lapse into authoritarianism even more unlikely, because democratic attitudes are being retained because of interest calculations, not goodwill. In the townships and shack settlements, pressures to conform will continue, but they do not seem to have been effective enough to prevent the ANC losing municipal by-elections at Nkandla and Marikana.⁴¹

That said, it does seem obvious that, the more competitive electoral politics become, the more will the commitment to fair electoral contest be tested. The 2014 election is unlikely to be a seismic event. But it will be more competitive than its predecessors and so will further test the degree to which free electoral competition has become ingrained in the post-1994 society.

A New Path? The Election and Inequality

In the second half of 2013, the country's most popular Sunday newspaper published an 'exposé' on its front page: it had found an ANC circular to its members of parliament telling them to ensure that they spent the months before the election passing laws which would be popular among voters. Legislation, it said, must make the ANC 'look good' and seven draft laws were identified as 'necessary for election'.⁴²

On one level, the breathless report, which conveyed the sense that the circular was a minor scandal, was laughable – parties are, after all, meant to appeal to voters. On another, it was a significant departure, for this seems to be the first time the ANC has made such an appeal to its legislators. This suggests that it is more concerned now than ever before with the need to retain support and that it believes that the best way to do this is to show voters it is looking after their interests (while this last point may appear obvious, embattled governing parties could just as easily respond by whipping up fear of their opponents – the ANC has done a little of this⁴³ but in the main its response has been to try to show voters it is serving them).

If this attitude persists, it has two implications. First, it is likely to prompt increased ANC attention to the responsiveness of government, particularly in the areas in which ANC voters live. Thus, in a possible straw in the wind, the ANC reacted swiftly to demonstrations in Madibeng (Brits) by forcing senior elected officials to resign⁴⁴ and placing the council under administration.⁴⁵ The speed of the response was highly unusual and suggested a new sensitivity to voter sentiment. This could have an important impact on the quality of government. While it is common to insist that the government provides inadequate service to citizens because it lacks technical capacity, the evidence suggests that the key problem is inadequate accountability. The National Treasury is often regarded as the most technically proficient government department: this is so because it is held accountable by the market if not by citizens. It seems reasonable to assume that, if other departments face equally strong pressures to account, they would

be equally competent. If the ANC feels under pressure to retain citizen support, this is very likely to ensure more effective governance for the grassroots poor in particular.

Second, ANC documents suggest that it believes that a key reason for citizen alienation is that not enough has been done to address poverty and inequality.⁴⁶ A strategy to retain support would then translate into an enhanced attempt to address inequities. But it knows too that sustainable changes to the economic patterns of the past cannot be imposed – the co-operation or at least compliance of the owners of capital is essential if the country is to continue generating enough wealth to address the demands of redistribution. This is why its mid-2012 'Second Transition' document, which sought to address these issues, is long on redistributive rhetoric but very short on proposals – the only one which alarmed business, an apparent promise to dilute the independence of the Reserve Bank, was quickly disavowed by ANC leadership.⁴⁷ This suggests that the ANC knows that change must be negotiated with economic power-holders.

But, while the ANC has talked over the past two decades of the need to address poverty and inequality, it has made no serious attempt yet to negotiate a new economic path. Complaining that current patterns are unsustainable is not negotiation. To negotiate, the ANC would need to spell out what it expects of businesses (or other parties) and what it will give in return. If electoral pressures really are compelling it to address these issues more seriously, we would expect it to begin spelling out a negotiation position. This is precisely what the economic section of its election manifesto⁴⁸ does: it contains

a set of proposals for change and proposed concessions to business concerns in exchange. The 2014 budget speech⁴⁹ does much the same, albeit in a more subtle way. This suggests that current electoral dynamics have impelled the ANC for the first time into facing the challenge of negotiating a different economic path.

Conclusion: The Pressure for Change

Whether the two intentions discussed here will survive the election depends partly on the result. If the ANC does not lose much ground, its leadership may conclude that the problems which push them in a new direction were overstated. That would take much of the urgency out of attempts to begin moving away from path dependency in governance and in the economy. But the loss of several percentage points could prompt it to continue these efforts in the period after May 7.

Even if it does lapse into complacency, however, this is unlikely to last long. The pressures which prompted it to adopt its current stance are unlikely to abate – if Numsa forms a party, they could well increase. And even if Numsa does not launch a party, it seems only a matter of time before the ANC faces either a challenge from within the labour movement or another split which will imperil its majority.

None of this may come to a head this election. But this ballot will offer some sense of whether the beneficial aspects of path dependency will survive and those which are damaging will begin to face a challenge. These two issues remain at the heart of South Africa's difficult quest to build a democracy. The issue is not whether they will be tested, but

when.

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KWAZULU-NATAL

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Introduction

Twenty years of democratic elections in KwaZulu-Natal have been marked firstly by a reduction of violence in the province given that 'electoral logics replaced war time logics of informal control'⁵¹ and secondly by a turnover of power from the Inkatha Freedom Party (IFP) to the African National Congress (ANC).

Despite the reduction of political violence, electoral violence persists in the form of rally disruptions, prevention of electioneering in no-go and stronghold areas, attacks on supporters and confrontations between party rep-

resentatives.⁵² The 2009 election, for example, witnessed clashes between ANC and IFP supporters in the Estcourt area⁵³ as well as clashes between ANC and Congress of the People (Cope) supporters at a hostel in Umlazi.⁵⁴ Indications are that this trend is set to continue, and there have already been reports of party tensions in a KwaMashu hostel this year, where confrontations between IFP and National Freedom Party (NFP) supporters resulted in the death of an IFP supporter.⁵⁵

A scan of provincial election results (depicted in the four tables below) of democratic elections held over the last twenty years tracks the gradual shift of power from the IFP and the subsequent consolidation of the ANC in KwaZulu-Natal. In the 1994 election the IFP secured 50.32% of the provincial vote and 41 seats

in the provincial legislature to the ANC's 32.32% and 26 seats. In the 1999 election the IFP began to lose ground, with 41.90% of the vote and 34 seats to the ANC's 39.38% and 32 seats. The 2004 election saw a shift in power, with the ANC gaining 46.98% of the vote and 38 seats to the IFP's 36.82% of the vote and 30 seats. By the 2009 election the ANC had consolidated its power in the province, with 62.95% of the vote and 51 seats while the IFP dropped significantly to 22.40% of the vote and 18 seats. 2009 official opposition in the province (other than the IFP) was disappointing, with the Democratic Alliance (DA) failing to achieve its target of 10 seats and the Minority Front (MF) receiving only 2 seats following a poor showing from its target constituency.⁵⁶

Election Results:⁵⁷

KwaZulu-Natal 1994

Party	Votes	Percentage	Seats
Inkatha Freedom Party	1 844 070	50.32	41
African National Congress	1 181 118	32.32	26
National Party	410 710	11.21	9
Democratic Party	78 910	2.12	2
Minority Front	48 951	1.34	1
African Christian Democratic Party	24 690	0.97	1
Pan Africanist Congress	26 601	0.73	1
Freedom Front +	18 625	0.51	0
Africa Muslim Party	17 931	0.49	0
African Democratic Movement	8 092	0.22	0
Workers' International to Rebuild	4 626	0.13	0
Total	3 664 324	100.36	81

KwaZulu-Natal 1999

Party	Votes	Percentage	Seats
Inkatha Freedom Party	1 241 522	41.90	34
African National Congress	1 167 094	39.38	32
Democratic Party	241 779	8.16	7
New National Party	97 077	3.28	3
Minority Front	86 770	2.93	2
African Christian Democratic Party	53 745	1.81	1
United Democratic Movement	34 586	1.17	1
Federal Alliance	9 762	0.33	0
Pan Africanist Congress of Azania	7 654	0.26	0
Freedom Front	6 804	0.23	0
Afrikaner Eenheid Beweging	5 801	0.20	0
Azanian People's Organization	5 052	0.17	0
Socialist Party of Azania	3 451	0.12	0
Mass United Movement	2 261	0.08	0
Total	2 963 358	100.02	80

KwaZulu-Natal 2004

Party	Votes	Percentage	Seats
African National Congress	1 287 823	46.98	38
Inkatha Freedom Party	1 009 267	36.82	30
Democratic Alliance	228 857	8.35	7
Minority Front	71 540	2.61	2
African Christian Democratic Party	48 892	1.78	2
United Democratic Movement	20 546	0.75	1
New National Party	14 218	0.52	0
Independent Democrats	13 556	0.49	0
Freedom Front +	7 764	0.28	0
Azanian People's Organization	7 061	0.26	0
Pan Africanist Congress	5 118	0.19	0
Socialist Party of Azania	5 023	0.18	0
Christian Democratic Party	4 980	0.18	0
Izwe Lethu Party	4 858	0.18	0
United Christian Democratic Party	3 921	0.14	0
Peace & Development Party	3 154	0.12	0
Royal Loyal Progress Party	3 141	0.11	0
Independent African Movement	1 546	0.06	0
Total	2 741 265	100.00	80

KwaZulu-Natal 2009

Party	Votes	Percentage	Seats
African National Congress	2 192 516	62.95	51
Inkatha Freedom Party	780 027	22.40	18
Democratic Alliance	318 559	9.15	7
Minority Front	71 507	2.05	2
Congress of the People	44 890	1.29	1
African Christian Democratic Party	23 537	0.68	1
Others	51 951	1.49	0
Total	3 482 987	100.01	80

Voter Turnout

Election year	Eligible population	Registered voters	Voter turnout	Ballots cast	Spoilt/invalid votes
2004	9 665 875	3 819 864	73.51%	2 782 565	41 300
2009	10 449 300	4 475 217	79.87%	3 526 700	43 713

KwaZulu-Natal election participation 2004, 2009⁵⁸

Election year 2009 in KwaZulu-Natal reflected a rise in the number of registered voters: 4 475 217, which translates into a voter turnout of 79.87%. This is as compared with election year 2004, which recorded 3 819 864 registered voters and a voter turnout of 73.51% (as reflected in the table above). The trend between the last two election periods is therefore an increase in voting activity.

Party dynamics

Analysts predict that the ANC will hold its lead in KwaZulu-Natal in the 2014 election. Indeed, it has been suggested that the KwaZulu-Natal province is an integral part of the ANC's strategy to retain its national voting figures. An Ipsos survey, which undertakes a 'Pulse of the People' study every six months, revealed that its randomly selected sample of eligible voters secured 56.6% of the vote for the ANC and 9.8% of the vote for the IFP in KwaZulu-Natal for 2014. The same survey recorded 11.2% of the vote for the DA and 0.9% of the vote for the MF. Two new political parties emerge as possible contenders for increasing support in the province in the upcoming election.

The first is the NFP, an IFP breakaway party formed in 2011 by Zanele Magwaza-Msibi, mayor of Zululand. Magwaza-Msibi formed the NFP after she cut ties with the IFP and the party managed to secure 1.2 million votes in the 2011 local government

elections. The NFP claims to be a party for all people but one that is sympathetic towards the poor, the marginalised, youth, widows and orphans. Its strategy is 'constituency based': 'we believe that we need to remain with the people'. The party launched its election manifesto in Durban recently, with a turnout of some 45,000 people. Its aim is to secure 1.8 million votes in the May 2014 election.⁶¹

The second emerging opposition party, reflecting national trends, is the Economic Freedom Front (EFF) represented in KwaZulu-Natal by provincial convener Vusi Khoza. A controversial figure, Khoza claims to be a whistle-blower in the Manase Report, which focused on exposing corruption in the eThekweni Municipality. He states that the EFF has made 'massive inroads' in KwaZulu-Natal, setting up branches in 'most regions' and increasing its card-carrying membership to 500,000. Khoza, discussing challenges of funding, argues that the EFF is 'a party for the poor that represents the interests of the poor. And poor people always come to the fore when there is a call to say fund your own revolution'.⁶²

The role of civil society and faith-based organisations

Civil society organisations such as NGOs and CBOs collaborate more with the state⁶³ than the 'new social movements', which aim to transform elements of the social, political or economic sys-

tem,⁶⁴ and which are also evident in KwaZulu-Natal. This is especially the case during the course of elections in the form of the KwaZulu-Natal Democracy and Elections Forum (KZNDEF). The KZNDEF was formed in 1998 with the objective of ensuring a provincial electoral environment to accommodate free and peaceful participation. This was particularly in light of the election-related violence, intimidation and political intolerance in the province. The Forum is a network of 17 civil society organisations, most of which are part of the KwaZulu-Natal Community Based Organization Coalition (COMBOCO), which represents some three hundred organizations throughout the province. It has five subcommittees: Democracy and Voter Education; Violence Monitoring; Mediation and Conflict Resolution; Election Observation and Legal Compliance and Litigation. Elsewhere⁶⁵ I have argued that while it is not possible to directly attribute lower levels of election-related conflict and higher levels of peace during elections in KwaZulu-Natal to the work of the Forum, it is possible to suggest that it has made significant inroads towards promoting a democratic-spirited electorate more inclined towards peaceful rather than conflict-based elections. The work of the Forum has resulted in it building extensive capacity to respond to conflict and promote peace. This includes the establishment of a pool of election observers, monitors, mediators and skilled trainers. The KZNDEF was re-launched

in August 2013 in the run-up to the 2014 election and is currently running a 'Phendula: Why Vote' youth political dialogue hosted by the Democracy Development Programme (DDP).

Protests and their impact

The province, following national trends, also displays an increase in levels of informal methods of political participation in the form of protest – dubbed 'service delivery' protest. According to the Municipal IQ Hotspots Monitor, a local government data and intelligence service, KwaZulu-Natal experienced a rise in service delivery protests from 6% in the January – July period of 2012 to 14% in the January – July period of 2013.⁶⁶ Just as is the case nationally, protest in KwaZulu-Natal emanates mainly from poorer neighbourhoods, townships and shack settlements. Reasons for protest are usually framed as material demands for services such as housing, water, electricity, access to healthcare, education, development and employment as well as calls for greater accountability at local levels of governance. Despite this, however, analysts warn that the term 'service delivery' protest is inaccurate given that protesters are demanding a voice and a chance to be active rather than passive citizens following the principles of participatory democracy.⁶⁷ A scan of media reports⁶⁸ reflects Durban protest ongoing in Hammarisdale, Durban central, Kennedy Road informal settlement, KwaMashu, KwaDukuza, Lamontville, Lindelani, Marianhill, Marianridge, Mayville, Ntuzuma, Siyanda, Umlazi, Wentworth, Clare Estate, Puntan's Hill and Chatsworth. Protest by striking students and labour is also constant, and in 2011 numerous mass protests were registered in relation to the May municipal elections, reflect-

ing breakaway party politics between the IFP and NFP as well as various internal ANC battles.

For the most part, which goes some way to explaining why the governing party has been returned to power in the province, 'service delivery' protesters don't seem to be opposing the ANC or the state but rather insisting on 'delivery of promises' and 'having their voices heard' at the local level.⁶⁹ In this sense protesters do not constitute a counter-hegemonic force but are 'more interested in obtaining a piece of the pie on offer by the state than challenging it altogether'.⁷⁰ In some cases, however, and particularly where social movements such as Abahlali baseMjondolo (ABM), the Unemployed People's Movement (UPM) and the Democratic Left Front (DLF) are active, community leader narratives are informed by a broader national outlook and consideration of systemic and structural causes of local problems.⁷¹ This may indicate a growing counter-hegemonic consciousness 'where people are able to penetrate the common sense that keeps most passive in the face of injustice'.⁷² Drawing from a sample of respondents interviewed in a Durban 'hotspot' for protest, Cato Manor Ward 30, protesters in Durban remain loyal to the voting process and seem to employ a 'dual repertoire' of voting as well protesting in between elections. All of the respondents interviewed indicated that they had voted in the last election and only two of them said they would consider abstaining from voting should their protest issues remain unresolved.⁷³ Abstaining from voting in Durban is a tactic famously employed by the shack dwellers movement (ABM), which, in previous elections, mobilised under the call (originating from the Anti-Eviction Campaign's) 'No Land, No House,

No Vote'. This campaign currently seems to be under debate. Some ABM members argue for continuing to abstain, given that voting for a party that doesn't deliver on promises is 'wasting' the vote. Others argue, however, that it may be time for ABM members to vote for an opposition party.⁷⁴

END NOTES

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NORTH WEST

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Election Results

North West 1994

Party	Votes	Percentage	Seats
African National Congress	1 310 080	83.33	26
National Party	138 986	8.84	3
Freedom Front Plus	72 821	4.63	1
Pan Africanist Congress	27 274	1.73	0
Democratic Party	7 894	0.50	0
Inkatha Freedom Party	5 948	0.38	0
African Christian Democratic Party	5 570	0.35	0
African Democratic Movement	3 569	0.23	0
Total	1 572 142	99.99	30

Source: EISA <http://eisa.org.za/WEP/sou1994resultsf.htm>

North West 1999

Party	Votes	Percentage	Seats
African National Congress	1 030 901	78.97	27
United Christian Democratic Party	124 874	9.57	3
Democratic Party	42 593	3.26	1
New National Party	29 931	2.29	1
Freedom Front (FF)	17 964	1.38	1
United Democratic Movement	16 785	1.29	0
African Christian Democratic Party	12 227	0.94	0
Pan Africanist Congress of Azania	9 613	0.74	0
Federal Alliance	7 157	0.55	0
Inkatha Freedom Party	6 759	0.52	0
Afrikaner Eenheidsbeweging	6 637	0.51	0
Total	1 305 441	100.00	33

Source: EISA <http://www.content.eisa.org.za/old-page/south-africa-1999-north-west-legislature-results>

North West 2004

Party	Votes	Percentage	Seats
African National Congress	1 048 089	80.71	27
United Christian Democratic Party	110 233	8.49	3
Democratic Alliance	64 925	5.00	2
Freedom Front Plus	17 123	1.32	1
African Christian Democratic Party	15 138	1.17	0
United Demographic Movement	12 513	0.96	0
Independent Democrats	5 709	0.44	0
New National Party	5 592	0.43	0
Azanian People's Organization	3 718	0.29	0
Inkatha Freedom Party	3 211	0.25	0
National Action	1 389	0.11	0
Total	1 298 563	100.01	33

Source: EISA <http://eisa.org.za/WEP/sou2004results8.htm>

Party	Votes	Percentage	Seats
African National Congress	783 794	72.89	25
Congress of the People	89 573	8.33	3
Democratic Alliance	88 728	8.25	3
United Christian Democratic Party	56 678	5.27	2
Freedom Front Plus	19 463	1.81	0
African Christian Democratic Party	7 366	0.69	0
United Democratic Movement	5 467	0.51	0
Independent Democrats (ID)	4 984	0.46	0
Movement Democratic Party	4 432	0.41	0
African People's Convention	3 116	0.29	0
Pan Africanist Congress of Azania	2 831	0.26	0
Azanian People's Organization	2 712	0.25	0
SA Political Party	1 832	0.17	0
African Christian Alliance	1 750	0.16	0
Inkatha Freedom Party	1 619	0.15	0
National Democratic Convention	978	0.09	0
Total	1 131 873	105.15	33

Source: EISA <http://eisa.org.za/WEP/sou2009resultsh.htm>

Voter registration numbers

Election year	Eligible population	Registered voters	Voter turnout	Ballots cast	Spoilt/invalid votes
1999	*<2 218 360	1 527 672	86.87		21 722
2004	**<2 521 142	1 749 529	75.55		23 224
2009	***2 521 142	1 564 357	70.80		21 007

Source: EISA <http://eisa.org.za/WEP/sou1999results7nw.htm>

*Source: 1996 census NWP age 15- unspecified <http://www.statssa.gov.za/census01/html/NWPPrimary.pdf>

**Source: 2001 census NWP age 15-unspecified <http://www.statssa.gov.za/census01/html/NWPPrimary.pdf>

***Source: 2001 census NWP (age 15 is now 19) <http://www.statssa.gov.za/census01/html/NWPPrimary.pdf>

Party dynamics

Politics in the North West Province reflects the deep divisions in the South African body politic. The largest portion of this province used to be called the Wes-Transvaal (part of the old Transvaal province). It has always been a mainly rural area with 'typical' rural towns, racially divided by apartheid. The evidence of these divisions can still be found in these towns. During apartheid the then National Party

(NP) and the Conservative Party (CP) were the strongest white parties in this region. They held heavily contested elections and the CP had a few strongholds in towns like Koster and Ventersdorp. Added to the mix was the Afrikaner Weerstandsbeweging (AWB), a far-right-wing nationalist group headed by the late Eugene Terre'blanche. With the end of apartheid the CP dissolved (many members are believed to have moved to the NP) and the AWB. The NP still contested

elections in 1994 and as the NNP (New National Party) in 1999 and 2004 before it merged with the ANC after the elections in 2004.

The North West province has always been an ANC stronghold since the first democratic elections in 1994, and the party appears to be invincible in the province, but not without its own internal tensions and deep factionalism. Support for the ruling party declined somewhat in 2009 with the formation of the Con-

gress of the People (COPE). The Democratic Alliance (DA) has since become the second-strongest contender, although being a distant second contender.

The relationship between the two strongest political parties in the North West and within themselves is characterised by factions, infighting and controversial negative campaigning. The current factional relationships within the African National Congress (ANC) in the North West began with the formation of the nine provincial administrations created in 1994. A 50 000-strong homeland civil service had to be combined with 20 000 from the Cape and Transvaal administrations. This did not happen peacefully. Junior officials and public workers loyal to the ANC formed crisis committees, which demanded that 23 former Bophuthatswana Bantustan officials be removed from their posts. R50 million was spent on severance packages for senior officials. What followed was factionalism between departmental heads nominated by the committees and administrators supposedly loyal to the former leader of the homeland, Mr Lucas Mangope. There ended up being three factions in 1993/1994, according to Theo Venter.⁷⁵ This history has an impact on the way in which factions within the ANC are formed.

The first faction had a strong Vryburg base, the second included Hammanskraal and Brits and the third grouping was Klerksdorp, Maquassi, Potchefstroom and Ventersdorp. The latter group was strongest at the time because of the support from the National Union of Mineworkers and a then stronger South African Communist Party. The Vryburg group wanted to be part of the Northern Cape, but were demarcated into North West. The Pretoria/Brits faction wanted to be in Gauteng and the Potchefstroom et al fac-

tion was jealous of the other groups, because they were responsible for the ousting of Lucas Mangope after the latter resisted reincorporation with the Republic of South Africa running up to the elections in 1994. The three groups could not agree on a premier for the province and eventually an outsider by the name of Popo Molefe, co-founder of the Azanian People's Movement and the United Democratic Front, and who was 'broadly associated' with the province, was appointed. His brief was to balance power and 'share the spoils' between factions. To this day, whether on provincial or local level, senior positions are divided between factions to try to avoid conflict.⁷⁶

The factions are now mostly divided into those that supported President Zuma and those who supported Deputy President Mothlanthe going into the Mangaung conference of the ANC in 2012 after the bruising factionalism experienced in the lead-up to and during the ANC's conference in 2007, in Polokwane. Attempts to heal these rifts and factions have not borne fruit. Recent events suggest that efforts by the ANC national leadership to avoid conflict are not working. A series of events can be catalogued as evidence:

- Phakoe murder
- Chika murder 2012
- Mataboge shooting 2012
- Tlokwe municipal council defections 2013
- Battles of legitimacy of mayors in Zeerust and Mahikeng 2013
- Violent protests 2013/2014

The relationship with the ANC and its voters is taking strain under these circumstances, as the section on protests below highlights.

These incidents naturally influence the relationship between the ANC and opposition parties in

the province. The DA in North West has been growing steadily since the Democratic Party's 0.50% in 1994. This was before the DP, NNP and ID merged to become the DA (the NNP left the alliance shortly after to merge with the ANC). Since then the DA got 8.25% in 2009, narrowly outshone by the now famously imploding Cope, which became the official provincial opposition with 8.33%. The DA has been fighting tough battles with the ANC in North West, trying to cash in on the ANC's faction fights. It succeeded for a while in Tlokwe in 2013, where the DA managed to have a municipal mayor for the first time in North West after ANC councillors, unhappy with the status quo at the time, supported a motion of no confidence against the ANC mayor and a DA councillor was elected mayor. The National Executive Committee (NEC) of the ANC intervened and after by-elections were held, the ANC won back the mayoral seat. It must be mentioned that there were reports of irregularities in the voting process lodged by the DA and independent candidates in which the Independent Electoral Commission (IEC) was implicated. The outcome of the investigation into these allegations has not published at this time but a lack of confidence in the IEC has taken hold by the opposition in Tlokwe.

The DA launched an aggressive campaign in the North West for the 2014 elections focusing on townships and rural areas. Its latest 'conquest' is the support of the Barolong people of Mahikeng. The DA has had its own challenges, with internal disagreements about certain national policies such as Employment Equity (EE) and land reform. These disagreements surfaced when statements were made by spokespeople about these policies, only to be retracted and rephrased by party leadership later on. There appears

to be a faction that is frustrated with party leader Helen Zille and those loyal to her. Near the end of 2013 there were reports of party leaders dividing their loyalties between Mmusi Maimane (premier candidate for Gauteng) and Lindiwe Mazibuko (DA parliamentary leader). There were also reports of an 'internal battle' over the use of party resources by both Maimane and Mazibuko. A spokesperson made these reports out to be rumour-mongering.⁷⁷

A major new disagreement amongst DA members and leadership is the campaign message about former president Thabo Mbeki. There are those in the DA ranks who disagree with the party placing Mbeki's presidency central to the DA campaign as 'a good story to tell', especially since the party launched scathing attacks on his presidency in the past.⁷⁸ Land reform is the policy most likely to make things difficult for the DA in North West from all sides. After initially botched communication about the DA's stance on the Restitution of Land Rights Amendment Bill, the party explained that it supported land reform but not at the expense of the right to private ownership and food security. The problem for the DA in North West is that white farmers (a fairly important section of the DA's base) received these statements negatively. The Freedom Front Plus (FF+), which relies strongly on farmers' support, jumped at the chance to suggest to farmers that the DA has deserted them and that they should come to the FF+ fold for support.

It is not clear how many black votes the DA will gain in the North West for supporting land reform even amid ANC faction fights. It may very well be a disputable point, since there is a new player on the ground in the form of the Economic Freedom Fighters (EFF).

In an Ipsos survey on provincial party support among voters published in November 2013 (six months before the 2014 elections) numbers show that the EFF may very well be the official opposition in North West after the elections.⁷⁹

Several large mines in the North West have been hit by protests and strikes, sometimes turning violent, most notably Marikana in 2012. The EFF has positioned itself as a champion of the plight of mine workers against perceived failed ANC policies. Although the EFF is championing the rights of the poor, it has also attracted well-educated youth disillusioned by the exclusionary nature of and institutional racism experienced in the corporate sector of South Africa.

The EFF claims to have over 100 000 members, 60% of whom are young people.⁸⁰ Tensions between the ANC and the EFF are high. The ANC has shown signs of intolerance the more threatened it perceives itself to be. There are reports of the ANC preventing political parties from moving freely to campaign in certain areas. The EFF has made allegations that the ANC in North West has prevented it from using municipal venues (stadiums and community halls) for gatherings and proceeded to 'illegally occupy' venues booked by the EFF.⁸¹

Role of civil society and faith-based organisations

Civil society organisations are an important part of any democratisation process in that they provide an important link between citizens and state. They support decision-making processes and can influence the mood regarding an event such as a national election.

It has been a challenge finding civil service organisations active in the North West Province with

campaigns such as voter education for the 2014 elections. A conversation with an official in the IEC office in Mahikeng revealed that the IEC is relying on its own historically effective methods to educate voters about the election process. The IEC uses democracy education facilitators to conduct demonstrations and workshops to teach potential voters how the voting process works. They are involved in the registration process as well. These facilitators are independent contract workers trained by the IEC.

The North West is predominantly rural, and large portions of the economically active population are farm workers. In the past the IEC has had difficulty getting access to farms either because of farmers' fears for their security or politically motivated resistance. For the 2011 local government elections the IEC collaborated with Agri-SA North West, supported by the provincial department of agriculture and rural development, to try to overcome these obstacles. The campaign included educating voters and farmers on the importance of allowing farm labourers to exercise their democratic right to vote. The result was positive.⁸² The IEC is therefore continuing these collaborations in 2014.

Most political parties have a strong focus on the youth for the 2014 elections. An organisation dealing with youth involvement in the elections is InkuluFreeheid. This is a youth-led, non-partisan movement providing a platform aiming to unite South Africans and organisations in finding solutions to current challenges. This group was established in February 2013. The main purpose of InkuluFreeheid is to deepen democracy, enhance social cohesion and find solutions to pressing economic challenges. One of the campaigns launched to achieve these goals is the "Our Vote Our

Voice” (OVOV) campaign. The campaign has three basic views:

- Hosting a website that compares party policies. Parties represented have been invited to review the content and policy material.
- A national grassroots movement of community-led soapbox rallies that stimulate local level action and democratic engagement. People and organisations are invited to organise their own soapbox events in their community.
- An online documentary series featuring top political leaders, young leaders in entertainment, business, law and civil society encouraging young people to participate in the 2014 election.⁸³

The OVOV movement is having a soapbox event in North West to encourage young registered voters to go to the polls to vote.

Protests and their impact

Protests are called ‘service delivery protests’, because those experiencing poor or no service delivery feel that their local authorities have failed them and that protests are the only way to make their voices heard. Mostly township and informal settlement inhabitants are participants in protests. The reasons given by these communities for protests are dissatisfaction with basic municipal services such as potable water, electricity and sanitation as well as the frustration experienced due to high levels of poverty as a result of high unemployment. The period in the lead-up to elections tends to intensify the occurrence of protests.

After 20 years of democracy inhabitants of poorly serviced areas appear to have lost patience and trust in local authorities governed by the ANC, and the North West is no exception. As the ANC is the governing party in North West, its actions (or lack thereof) will be the focus of trying to understand the reasons for the protests.

As stated earlier, ANC faction fights in North West have pre-occupied the organisation for many years. Service delivery has suffered, as the manner in which the factions within the ANC are formed requires that for them to stay in power they need to surround themselves with loyal cadres who expect something in return for this loyalty.⁸⁴ In the North West, the impact of such actions were meant to be dealt with, after President Zuma signed a proclamation in 2009 for the investigation of widespread financial irregularities in all North West municipalities.

One of the reports into the infighting among ANC leaders was prepared by the Department of Cooperative Governance. The ANC leaders in North West were tasked with addressing the findings of the report. The ANC had to admit that most of the municipalities in North West were ‘in a state of paralysis and dysfunction’ and that local government is therefore perceived to be incompetent and riddled with corruption and maladministration.⁸⁵

Table 1: Total crowd incidents by province (2011)

Province	2011 population estimate	Peaceful incidents	Peaceful incidents per thousand	Unrest incidents	Unrest incidents per thousand
Gauteng	11,328,203	9209	0.81	1097	0.10
Limpopo	5,554,657	4066	0.73	222	0.04
North West	3,253,390	6980	2.15	695	0.21
Mpumalanga	3,657,181	1944	0.53	358	0.10
KwaZulu-Natal	10,819,130	8555	0.79	546	0.05
Eastern Cape	6,829,958	3578	0.52	322	0.05
Free State	2,759,644	2606	0.94	413	0.15
Western Cape	5,287,863	3148	0.60	599	0.11
Northern Cape	1,096,731	1990	1.81	243	0.22

Source: Peter Alexander (2012)⁸⁶

Table 1 compares the numbers of incidents with size of population. In North West there were approximately 3,253,390 people in 2011. There were far more peaceful incidents of protest (such as strikes, etc.) than unrest incidents, but with a number of 695 the North West has had more protests than any other province. One labour protest in 2012 took a turn for the worst.

The “Marikana Massacre” of 16 August 2012 started as a strike by mineworkers over a wage dispute. Thousands of miners gathered on a koppie near an informal settlement. Police arrived and ordered the miners to disperse. When they did not, the police opened fire, allegedly in self-defence. Thirty-four of the strikers were killed and many suffered injuries. The official investigation

by the Marikana Commission of Inquiry is still continuing.⁸⁷

The most prominent protest in 2013 happened in the North West in January 2013. In Mothutlung, a township near Brits (Madibeng), four people died in a clash with police during a protest. The reason for this protest was the lack of water in this township because of broken pumps the Madibeng municipality failed to fix. Some of the findings in the Special Investigation Report (SIR) presented to the North West provincial government revealed that the Madibeng municipality spent R4.9 million on tenders awarded to companies owned by its own employees, and that several fictitious companies were paid for incomplete or no work done. The report found once again that factional politics was at the centre

of this corruption and mismanagement.⁸⁸ The allegations made in 2013 is that the broken pump wasn’t fixed so that companies awarded the tender to tank water into the township could continue their contracts.

Most protests in North West Province thus far involved poor black residents in North West municipalities taking to the streets. The previously advantaged white population in these towns do not appear eager to join protests. However, this tendency changed in the town of Koster (Kgetlengrivier local municipality). On 6 February 2014 black and white residents protested together in the streets of Koster against the lack of service delivery by the municipality.



Source: Susan Cilliers (2014)

The residents’ main grievances were irregular or no refuse removal, sewage spills because of inadequate maintenance and the roads in Koster disintegrating. Residents alleged that they have reported these issues to the municipality for years without positive results. The protesters hand-

ed over a memorandum in which they demanded the resignation of the mayor and the municipality being placed under administration.⁸⁹

It is still unclear how the protests will impact on the 2014 elections, either in party support patterns or in turnout and participation.

END NOTES

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LIMPOPO

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Introduction

Less than two months before the May 7 2014 elections, expectations are high as to whether the elections will usher in a shift in voting patterns in South Africa. Historically, the electoral performance of the ANC in Limpopo shows that the ANC has been able to attain over 80% of the provincial share of the votes since 1994. The party attained 92% in 1994; 89% in 1999; 89% in 2004; and 85% in 2009.⁹⁰

This represents a consistent trend, especially given that the parties that have come second and third since 1994 have also remained below the 10% threshold. It may be important to explain this trend and assess the extent to which it is useful in projecting how the

2014 elections might bring about change, if at all, in party support patterns. Voting patterns emerge out of a combination of multiple factors, ranging from how issues are framed to opportunities for social and economic mobility. Patterns are also influenced by factors such as voter registration numbers and turnout. This section assesses election results in Limpopo with the aim of assessing a trend.

The 2014 elections will occur against the background of intense community protests. Limpopo remains one of the provinces with relatively lower levels of such occurrences, although the province has experienced gradual increases in the past few months. The question to be addressed is what inferences can be drawn from the number of protests being recorded in Limpopo. Do the lower levels of protests signal that the voting patterns experienced in

the last elections in the province will most likely be repeated in the 2014 elections? How will the recently recorded voter registration numbers impact on election results in the Limpopo?

Election Results

Limpopo 1994

Party	Votes	Percentage	Seats
African National Congress	1,759,597	91.6	38
National Party	62,745	3.3	1
Freedom Front	41,193	2.1	1
Total	1,863,535	97	40

1994 election results, Limpopo (data adopted from Electoral Commission of South Africa)

Limpopo 1999

Party	Votes	Percentage	Seats
African National Congress	1,464,432	88.3	44
United Democratic Movement	41,700	2.5	1
New National Party	28,159	1.7	1
Democratic Party	23,486	1.4	1
Pan Africanist Congress of Azania	23,325	1.4	1
African Christian Democratic Party	18,281	1.1	1
Total	1,599,383	94.7	49

1999 election results, Limpopo (data adopted from Electoral Commission of South Africa)

Limpopo 2004

Party	Votes	Percentage	Seats
African National Congress	1,439,853	89.2	45
Democratic Alliance	57,930	3.6	2
United Democratic Movement	27,780	1.7	1
African Christian Democratic Party	20,418	1.3	1
Total	1,545,981	95.8	49

2004 election results, Limpopo (data adopted from Electoral Commission of South Africa)

Limpopo 2009

Party	Votes	Percentage	Seats
African National Congress	1,265,631	84.9	43
Congress of the People	112,325	7.5	4
Democratic Alliance	51,856	3.5	2
Total	1,377,956	95.9	49

2009 election results, Limpopo (data adopted from Electoral Commission of South Africa)

Party dynamics

The results of the four successive general elections (1994, 1999, 2004, and 2009) paint a picture of a consistent pattern when it comes to the distribution of votes among the top three performing political parties in Limpopo. While the ANC has consistently attained the highest percentage of the votes in the province, the two

parties that followed have not been able to break the 10% ceiling. The results in Limpopo further indicate that there has been a pattern of alternation between the two political parties that attained second and third position. The average electoral share for political parties attaining second and third places in Limpopo as measured from 1994 to 2009 elections remains at 4.6%. Cope was been

able to garner a seemingly miraculous 7.5% of the votes in the province in 2009 election. This raised the average performance of opposition parties in the province, which would otherwise be less than 3%.

It is interesting to note in relation to the makeup of the top three performing political parties in Limpopo that it is only the ANC

that has consistently appeared in the list, while the second and third places respectively have seen alternations among other parties. In 1994 elections, National Party (NP) and Freedom Front (FF) attained second and third places respectively in the provincial share of votes in Limpopo. The 1999 elections, however, saw the newly formed United Democratic Movement (UDM) attaining second place to the ANC, while the National Party came third. The 2004 elections had the newly amalgamated Democratic Alliance (DA) attaining the second place, while the UDM moved into third place. Strengthening this alternation trend among the opposition, in the 2009 elections, the then newly formed Congress of the People (Cope) came second, with the DA shifted to third place.

This is significant in the sense that it shows that any shifts in terms of voting behaviour is happening among opposition party support and does not affect the ANC. Noteworthy is that the parties that occupy the second and third places respectively have not demonstrated growth in terms of their electoral share. Consistent rotation of parties in the second and third places is also an indication that opposition parties find it difficult to both consolidate their position as well as increase their margins in Limpopo.

The following inferences can be drawn in relation to election results and voting patterns in Limpopo:

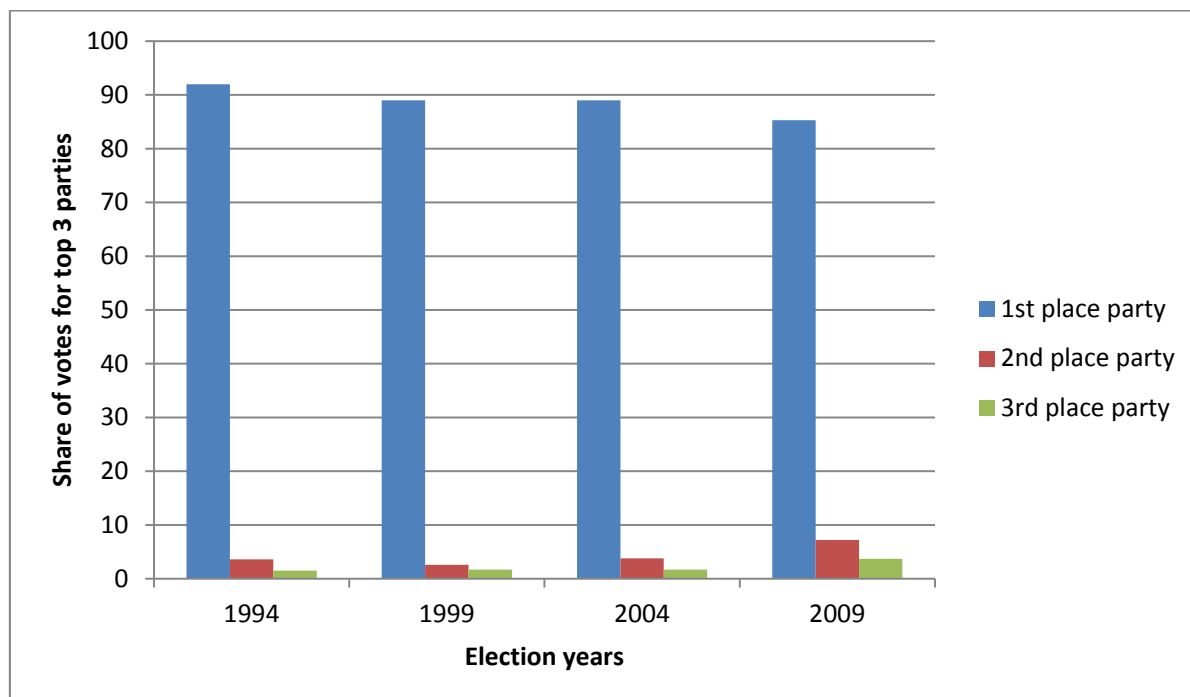
- Limpopo Province lacks the necessary dynamism to inspire shifts in voting patterns.
- The increase in voter

registration as measured from the 1999 to the 2004 elections has not had an impact on the voting patterns, and neither has it had real effect on the electoral share held by the party that has consistently secured the highest percentage of votes in the province.

- A high level of rotation in the second and third places held by opposition parties across all elections indicates poor levels of competition between opposition parties and the governing party in the province.
- New political parties have consistently performed better than existing opposition parties; however, they fail to consolidate their respective position, often sliding to lower positions in subsequent elections.

The following graph shows how the total votes in the province were apportioned across the three top performing parties in the four successive elections from 1994 to 2009.

Figure 1: Three top performing parties in elections from 1994 to 2009



Voter registration and turnout trends

Limpopo Province has shown a steady increase in voter registration since 1999, while the voter turnout has remained between 69% and 89%. The voters' roll in Limpopo Province, as measured from the 1999 elections to date, does not show any major changes. Despite the cumulative increase in the voter registration figure, the absolute number of people who cast their votes remain almost the same, at about 1 700 000 people across all elections held thus far since 1994.

Election year	Eligible population	Registered voters	Voter turnout	Ballots cast	Spoilt/invalid votes
1999		1 847 766	89%		30 760
2004		2 187 912	75%		29 166
2009		2 256 073	69%		22 956

Election registration and turnout, Limpopo (data adapted from Electoral Commission of South Africa)

Although voter registration in Limpopo is increasing steadily, the turnout is not showing a similar trend, it is actually dropping slightly. Figure 2 demonstrates this slight decline in turnout.

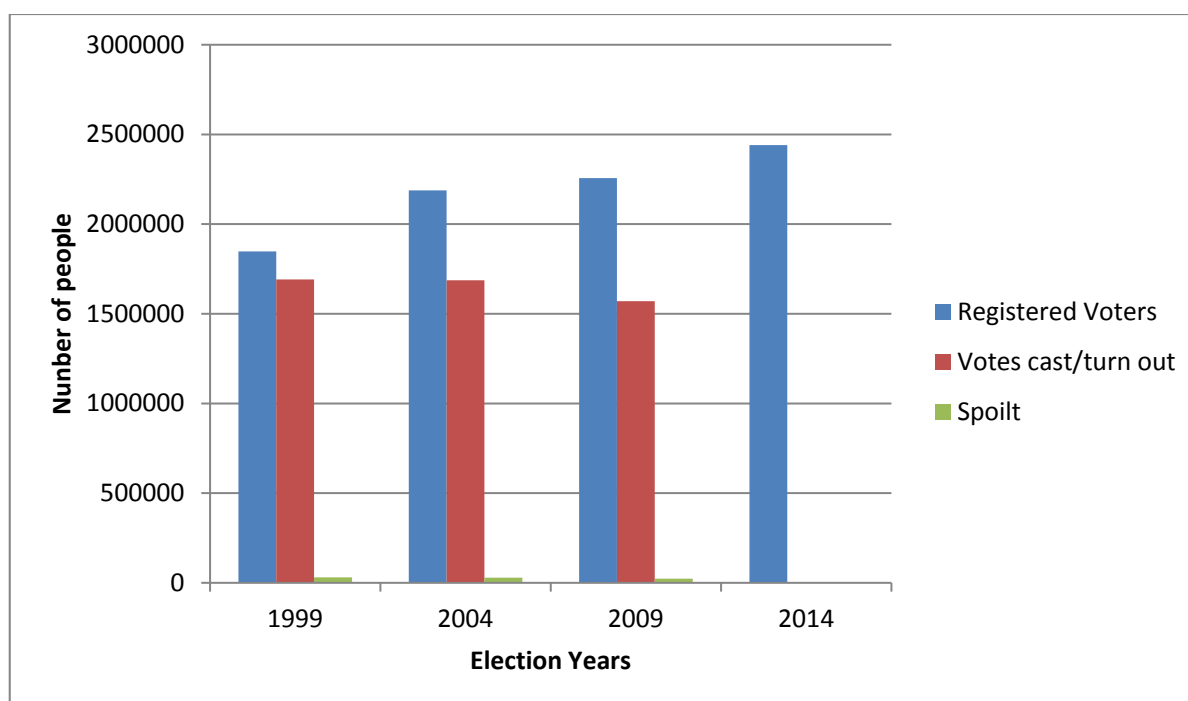


Figure 2: Voter registration and turnout (figures adapted from Electoral Commission of South Africa)

Protests and their impact

Compared to other provinces, Limpopo remains one of the most docile provinces in terms of expression of political activities. Being one of the provinces with lower levels of service delivery and also the most rural, Limpopo would normally be expected to be a host to robust engagement between citizens and political parties regarding the role of the state in the lives of citizens. Ac-

cording to the 2009 Service Delivery Index, Limpopo boasts the highest number of people living in formal dwellings.

However, only 23% of the population has access to formal sanitation, with waste removal being afforded to only 18% of the total population.⁹¹ Census 2011 revealed that Limpopo Province has the lowest proportion of households that have their refuse removed by a local authority.⁹²

Political protest within communities in South Africa has largely been driven by service delivery concerns. The higher demands for service delivery coincide with growing citizen engagement in public life, either through formal institutions or in the form of community protests. Limpopo has an acute need for services, but there is no positive correlation between service delivery shortfall and political dynamism or intra-party engagements in the province. The

2012 Municipal IQ service delivery protests monitor shows that out of the total number of protests experienced in the country, Limpopo accounts for roughly 5%, the lowest levels of protests after Northern Cape, with 4%.⁹³ Out of the total protests measured from February 2007 to May 2010, Limpopo accounted for 5%, with Northern Cape recording the lowest levels at 2% (Hirsh & Karamoko, 2011, p. 24).

According to the Department of Cooperative, Human Settlements and Traditional Affairs in Limpopo (Limpopo Department of Cooperative Governance, 2014), ['Cooperative' – in source] in the past six months (as of 19 March 2014) the province has experienced only five protests, some of which had to do with citizens' demands for better safety and security. Concerns that might exist

in Limpopo in relation to services seem not to be translated into political engagements or intra-party engagement. This deficit might have to do with lack of robustness within the civil society sector in the province. It is arguable, however, that the lower levels of civic engagement in the province is largely responsible for the prevalent voting patterns in the province.

Conclusion

Limpopo Province is experiencing a peculiar pattern in terms of voting behaviour observed from the 1994 elections up to the 2009 elections. A closer observation of this trend indicates that there might not be any major shift in terms of voting patterns in the province in the forthcoming May 7 elections. Newly formed opposition political parties might per-

form better than already existing opposition parties, but they might not pose a significant shift in the electoral share that has been attained by the ANC, which has consistently dominated the province in the past elections. Thus, there might be competition and subsequent shifting of the votes among opposition parties, leaving the electoral share of the dominant ANC largely untouched.

END NOTES

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FREE STATE

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Introduction

Various commentators suggest that the General Elections of 2014 will be one of the most fiercely contested polls since the advent of democracy. Over the past two decades, governmental processes were unprecedented in their participatory and inclusive nature. Like other fragile states, however, South Africa also became beset by widespread poverty and inequality, economic decline and high levels of unemployment, poor governance, and widespread violence. It is against this background that the forthcoming elections will be contested.

In the Free State (FS), the outcomes of provincial elections have been heavily skewed in favour of the African National Congress (ANC). The ANC started its dominance in 1994 with 76%, followed by 81% in 1999, 82% in 2004, and 71% in 2009.⁹⁴ The 2009 election showed a decrease of 11% in the performance of the ANC. This decline in the ANC's performance could be ascribed to a growing alienation of its traditional support-base, political infighting and the emergence of the Congress of the People (Cope).

Both Cope and the emergent Economic Freedom Fighters (EFF) will potentially pose a serious challenge to the ANC among its traditional constituency in the province. But politics in the Free

State is also impacted on by other role players, other than the political parties, and this article will focus on citizens participation by focusing on voter registration and turnout; the role of civil society-and faith-based organisations in elections; and the nature, prevalence and the possible impact of protests on the forthcoming elections.

Election Results

Free State 1994

Party	Votes	Percentage	Seats
African National Congress	1 037 998	76.65	24
National Party	170 452	12.59	4
Freedom Front +	81 662	6.03	2
Pan Africanist Congress	24 451	1.81	0
Dikwankwetla Party of South Africa	17 024	1.24	0
Democratic Party	7 664	0.57	0
Inkatha Freedom Party	6 935	0.51	0
African Christian Democratic Party	6 072	0.45	0
African Democratic Movement	2 008	0.15	0
Total	1,354,266	100	30

Source: Independent Electoral Commission⁹⁵

The ANC received the vast majority of votes (76.6%) in 1994, followed by the National Party (NP) with 12.5%, and the Freedom Front+ (FF+). As a result, the majority of seats (24) were allocated to the ANC (Table 1).

Free State 1999

Party	Votes	Percentage	Seats
African National Congress	881 381	80.79	25
Democratic Party	58 163	5.33	2
New National Party	56 740	5.20	2
Freedom Front	22 996	2.11	1
United Democratic Movement	18 194	1.67	0
Pan Africanist Congress of Azania	12 548	1.15	0
African Christian Democratic Party	9 827	0.90	0
Federal Alliance	8 798	0.81	0
United Christian Democratic Party	8 543	0.78	0
Inkatha Freedom Party	5 119	0.47	0
Afrikaner Eenheid Beweging	4 390	0.40	0
Unemployment Labour Alliance	2 974	0.27	0
Socialist Party of Azania	1 235	0.11	0
Total	1,090,908	99.99	30

Source: Independent Electoral Commission⁹⁶

In 1999, the ANC vote (80.7%) was considerably higher than in 1994, which increased its seats to 25 in the provincial legislature. As shown in Table 2, the Democratic Party (DP) made significant gains by moving from the sixth position in 1994 to second in 1999. Both the DP and the New National Party (NNP) – now called the Democratic Alliance (DA) after their merger – obtained 2 seats and FF one. During the subsequent provincial elections in 2004 (Table 3), the ANC continued its dominance of the provincial vote share, with a marginal 1-point increase and the DA winning only 8.4% and the FF+ 2.4%.

Free State 2004

Party	Votes	Percentage	Seats
African National Congress	827 338	81.78	25
Democratic Alliance	85 714	8.47	3
Freedom Front +	24 946	2.47	1
African Christian Democratic Party	13 119	1.30	1
Pan Africanist Congress	11 969	1.18	0
Dikwankwetla Party of SA	9 806	0.97	0
United Democratic Movement	8 947	0.88	0
New National Party	8 295	0.82	0
United Christian Democratic Party	7 825	0.77	0
Independent Democrats	5 289	0.52	0
Azanian People's Organization	3 571	0.35	0
Inkatha Freedom Party	3 563	0.35	0
National Action	1 224	0.12	0
Total	1,011,606	99.98	30

Source: Independent Electoral Commission⁹⁷

The emergence of the Congress of the People (Cope), an ANC breakaway party formed in 2008, drew some support away from the ANC, though a limited amount. The ANC's share of the provincial vote dropped by almost 10% from 81.7% in 2004 to 71.1% in 2009 (Table 4). Cope became the official opposition party with 4 seats after replacing the DA, which maintained its 3 seats.

Free State 2009

Party	Votes	Percentage	Seats
African National Congress (ANC)	734 688	71.10	22
Congress of the People (Cope)	120 018	11.61	4
Democratic Alliance (DA)	119 844	11.60	3
Freedom Front (FF+)	20 780	2.01	1
Others ⁹⁸	37 992	3.67	0
Total	1, 033, 322	99.99	30

Source: Independent Electoral Commission⁹⁹

Voter registration and turnout

Voter registration and voter turnout are strong indicators of citizens' commitment to voting and participation. The eligible voting age population (VAP)¹⁰⁰ in the FS has increased by more than 180 000 due to population growth between 1999 and 2009. As shown in Table 5, the number of registered voters increased by more than a 160 000 over the same ten-year period. Despite the growth in the eligible VAP and registration figures, voter turnout based on the eligible VAP decreased significantly (by 11.6%) between the 1999 and 2009 elections. Moreover, Table 5 shows that the turnout for registered voters remained relatively high at 75.5% between 1999 and 2009. The highest turnout of registered voters of 77.7% was recorded in 2004. While registration rates have been generally high for the FS, turnout as a proportion of the VAP remained low at 61% or less in the past two elections.

Election year	Eligible population	Registered voters	Voter turnout	Ballots cast	Spoilt/invalid votes
1999	1 513 052	1 225 730	75.55	73.22	16 943
2004	1 725 022	1 321 195	77.76	59.56	15 795
2009	1 701 600	1 388 588	75.55	61.65	15 744

Source: SAIRR 2004/05 and 2010 Surveys¹⁰¹

Party dynamics

Political parties occupy a central role in political systems with party formations, as they allow for the articulation of varying political interests. An evaluation of inter- and intra-party relations enables us to determine the nature of the political system and democracy in any given society.¹⁰²

In the FS, inter-party relations have been characterised by attempts of opposition parties to challenge the dominance of the ANC. This has often been done by making public pronouncements on points of disagreement with the ANC or by criticising the ruling party and the conduct of its leaders.

The criticism from opposition parties against the ANC in the FS intensified after Premier Ace Magashule established a project called Operation Hlasela. The DA leader at time, Roy Jankielsohn, said that the “private sector are being conned into contributing to the Hlasela fund under the pretext that this was a government programme, while it is in fact the premier’s election campaign fund.” This led to the investigations of the project by the Public Protector in 2012.¹⁰³ Shortly afterwards, the DA under the leadership of Patricia Kopane accused the premier of feeding funds to the firm that built the province’s controversial R40-million website. Lately, the opposition parties outcry has been over the ANC’s Free State health MEC Benny Malakoane, who was arrested in July 2013 on charges of corruption and fraud involving about R13 million. Interestingly, Helen Zille, the DA’s national leader, also entered the fray when she indicated that no public official in the DA would survive a track record such as that of the MEC of Health in FS.¹⁰⁴

After very robust and intense battles during the campaigns for the 2009 elections, all three major parties in the FS had a fair share of intra-political squabbles to deal with. The ANC in the FS is a party beset by infighting (and at times even physical fights) and court battles. Various opposing factions within the party clashed as tensions peaked during the auditing of the validity of branch general meetings and credentials at regional conferences. The faction led by MKMVA calls itself “Regime Change.”

The deployment of the National Executive Council (NEC) task team did not help much, as six party provincial leaders took the provincial ANC to court in 2012, arguing that the elections were rigged and the entire conference was invalid. The Constitutional Court ruled that the provincial elective conference held in June 2012 was invalid and unlawful. The ANC then was forced to disband the provincial executive committee (PEC) and re-schedule the elective conference.¹⁰⁵

Recently, the DA’s candidate for premier in the FS, Patricia Kopane, has come under fire from within the ranks of her own party for her good portrayal of former South African president, Thabo Mbeki. Many senior party leaders believed that such statements defy the party’s damning historical portrayal of Mbeki.¹⁰⁶

In 2013, divisions emerged in the eastern Free State-based Dikwankwetla Party of South Africa (DPSA) over whether the opposition should align itself with the ruling ANC party in the forthcoming elections. Several senior members – some of whom are councillors in the Maluti-a-Phofung Local Municipality where the DPSA is the official opposition with eight seats – were con-

sidering quitting the party over what they regard as “selling out the DPSA for personal gain”, and that the appointment of their party leader as head of the public safety and transport portfolio in the ANC-dominated council was to buy his silence.¹⁰⁷

Role of civil society and faith-based organisations

Civil society organisations (CSOs) and faith-based organisations (FBOs) are varied in their character and in their purpose. In the FS, traditional mainstream CSOs such as the South African National Civic Organisation (Sanco) and faith-based organisations such as the South African Council of Churches (SACC) play an important role by highlighting the need for democracy and the significance of participating in the elections. The SACC in the FS is facing serious challenges due to lack of funds. The organisation, however, tasked individual church leaders to work with all political parties as well as encourage church members to contribute to an environment that will ensure free and fair elections. Members of the SACC will also act as election observers in their communities.

Currently, there seems to be low levels of interest in election-related activities by CSOs in the province. Many organisations consulted hinted that their levels of advocacy will increase closer to the elections when greater levels of political activity are expected to intensify. It is not yet clear what role many of the community organisations (the so-called concerned residents’ groups) involved in service delivery protests will play in the forthcoming elections.

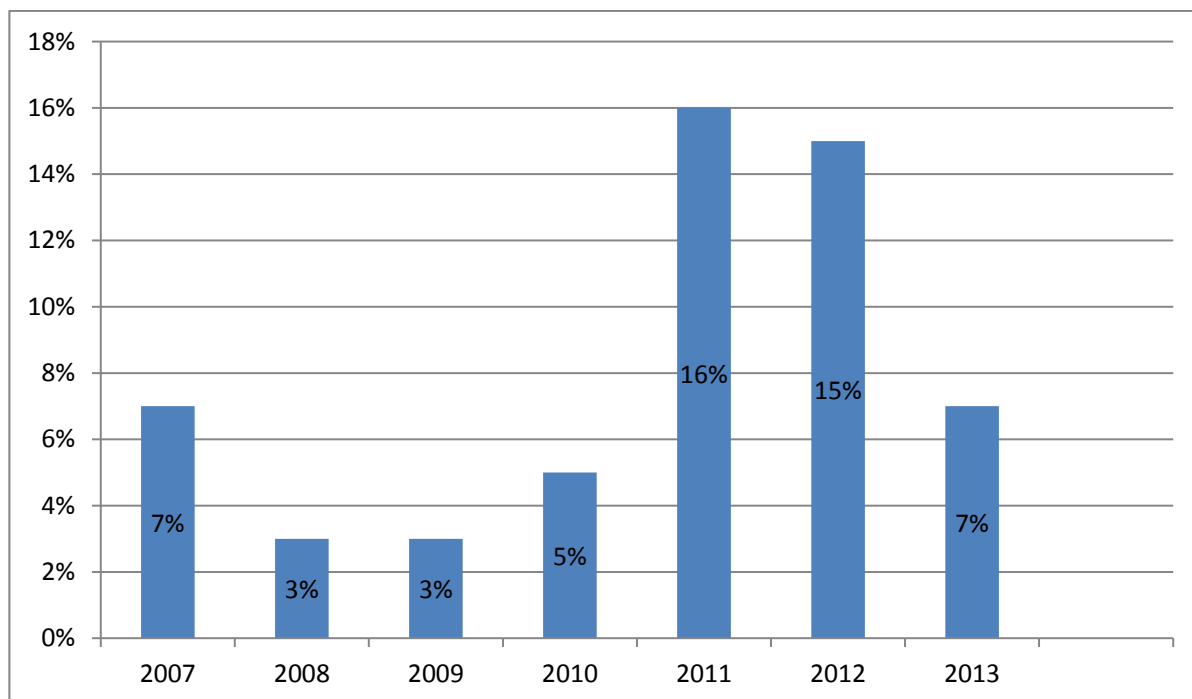
Protests and their impact

This section of the article focuses on protests – the collective action by a group of community members directed towards local municipalities over the dissatisfaction of perceived poor delivery of basic municipal services. Since the dramatic eruption of protests

in predominantly black communities in September 2004, South Africa has witnessed unrest of significant proportions at the local level. Unlike other forms of protests such as industrial action, service delivery protests have a greater potential to impact an environment conducive to free and fair elections. Figure 1 shows

overall trends in service delivery protests in the FS between 2007 and 2013. The protests have increased substantially from approximately 7% in 2007 of the total incidences nationally, reaching unprecedented high levels of 16% and 15% in 2011 and 2012, respectively.

Figure 1: Service delivery protests in the FS, 2007-2013 (%)



Source: Municipal IQ¹⁰⁸

One of the events that have drawn international attention to protests in South Africa has been the death of Ficksburg community leader, Andries Tatane, at the hands of police. Following Tatane's death, there has been public outrage about the manner in which he died. The Meqheleng Concerned Citizens group planned to hand over a memorandum about demands for issues, including proper water supply, repairs to sewerage drains and waste removal.¹⁰⁹

Since then, sporadic outbreaks of protests have been noted in several small towns in the FS. The capital city Bloemfontein also experienced several protests since 2012. These protests were

led by the Mangaung Concerned Residents Committee, and the main grievances included alleged corruption within the provincial government, the new unused taxi rank, the relocating of the zoo and alleged bogus government websites that cost the taxpayer millions of rands.¹¹⁰

Since 2013, about 26 towns in the FS have had no water at all in certain areas, experience water supply disruptions, or have extremely unhygienic water coming from their taps.¹¹¹ At this point, however, it is highly unlikely that service delivery protests, or any other form of protests, in the FS will have any significant impact on the forthcoming elections.

END NOTES

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WESTERN CAPE

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Introduction

The Western Cape is a politically

unique province where electoral trends stand in sharp contrast to those in the rest of South Africa. While at the national level the African National Congress (ANC) has won all democratic elections by large majorities, outcomes in

the Western Cape have resulted in three different political parties – namely, the National Party (NP), the ANC and the Democratic Alliance (DA) – assuming power in the province.

Election results

Table 1: Western Cape Provincial Results (1994-2009)

Party Name	Total no. of votes				Percentage			
	1994	1999	2004	2009	1994	1999	2004	2009
National Party/ New National Party	1,138,242	609,612	170,469	NA	53%	38%	11%	NA
African National Congress	705,576	668,106	709,052	620,918	33%	42%	45%	32%
Democratic Party/ Democratic Alliance	141,970	189,183	424,832	1,012,568	7%	12%	27%	52%
Freedom Front / Freedom Front + (VF Plus)	44,003	6,394	9,705	8,384	2%	0.40%	0.62%	0.43%
African Christian Democratic Party	25,731	44,323	53,934	28,995	1%	3%	3%	2%
Independent Democrats	NA	NA	122,867	92,116	NA	NA	8%	5%
United Democratic Movement	NA	38,071	27,489	14,013	NA	2%	1.75%	0.71%
Congress of the People	NA	NA	NA	152,356	NA	NA	NA	8%

Source: Independent Electoral Commission. Retrieved March 21, 2014 from <http://www.elections.org.za>

In the first democratic election, the National Party won an outright majority in the Western Cape – 53% of the votes for the Western Cape provincial legislature against the ANC's 33%. The NP managed to successfully capitalise on the underlying fears of voters in the Western Cape, depicting the ANC as a violent and dangerous party that would destroy South Africa. In 1994 the ANC secured only 33% at provincial level in the Western Cape. At this stage the DP secured only 6.6% of the provincial vote.

In the 1999 election the contest remained primarily one between the ANC and the NP, now renamed the New National Party (NNP). It was in this election that the distribution of power shifted dramatically, with the NNP losing its majority status in the Western Cape. Its share of the vote dropped by 15% to 38% – 4% less than that of the ANC. The ANC increased its share of the vote to 42%, an increase of 9.1%. This happened as voters in the Western Cape watched ANC incumbents at national level under the leadership of Nelson Mandela lead South Africa from the brink of civil war into constitutional democracy. Nonetheless, a NNP/DP alliance kept the ANC out of power in the Western Cape, and Marthinus Van Schalkwyk became the new premier. By the second democratic election the DP had made modest advances, doubling its share of the vote in

the Western Cape to 12%. In June 2000 the Democratic Party and New National Party announced that they would unite as the Democratic Alliance, with the aim of building a political movement that would effectively challenge the ANC for political power.

In 2004 the ANC's largely positive campaign, which focused on the celebration of ten years of democracy, yielded dividends. Voters in the Western Cape rewarded the ANC with 45% of the vote, just short of an outright majority. The ANC took power from the NNP and Ebrahim Rassool became the premier of the Western Cape. While the DA increased its support base to 27% in 2004, opposition voters did not feel inclined to vote against the ANC. By 2004 the NNP, in coalition with its former arch-enemy the ANC, preached a campaign message that completely contradicted its messages of 1994 and 1999. The NNP's support base was decimated by its incongruent and internally inconsistent campaign messages. The NNP, whose share of the provincial vote had crumbled to 11%, was dissolved into the ANC.

In 2009 the balance of power in the Western Cape again shifted – this time from the ANC to the DA. Dramatic national developments which occurred between 2004 and 2009 underpinned this shift in power. With the NNP absorbed into the ANC, the contest

was now between the DA and the ANC. The DA's campaign of 2009, consistent with its previous hard-hitting messages, now took place in a completely different political context. National events between 2004 and 2009 created a situation where the DA's messages were much more salient to voters in the Western Cape. As is well known, these national developments included the highly publicised rape trial of President Zuma and his removal as the deputy president of the country following the corruption trial of Schabir Shaik. Additionally, the dramatic events at the ANC's 2007 national conference, in which Jacob Zuma secured the position of ANC president, culminated in the removal of Thabo Mbeki as president of the country. These events also precipitated the resignation of several ANC members, and the Congress of the People was formed under the leadership of Mosiuoa Lekota and Mbhazima Shilowa. In the Western Cape these national events had a very damaging effect on perceptions of President Zuma. An Afrobarometer survey conducted in late 2008 revealed that respondents in the Western Cape had very little trust in him. Ebrahim Rasool was also removed as the premier of the Western Cape. These public sentiments were harnessed by the DA through an extremely effective election campaign. The DA had won an outright majority of 51.3%, while the ANC dropped down to 31.6%.

Table 2: Western Cape Seat Allocation (1994-2009)

Party Name	Total no. of seats			
	1994	1999	2004	2009
National Party (NP)/ New National Party	23	17	5	NA
African National Congress	14	18	19	14
Democratic Party / Democratic Alliance	3	5	12	22
Freedom Front / Freedom Front Plus +(VF Plus)	1	0	0	0
African Christian Democratic Party (ACDP)	1	1	3	2
Independent Democrats (ID)	NA	NA	3	3
United Democratic Movement (UDM)	NA	1	1	0
Congress of the People (COPE)	NA	NA	NA	3
Total	42	42	43	44

Other parties have not featured strongly in the Western Cape. The African Christian Democratic Party (ACDP) has managed to maintain a presence in the Western Cape. In 1994 it won 1.2% of the vote in the Western Cape. This increased to 2.8% in 1999 and 3.4% in 2004. However, 2009 saw its support base decline from 3.5% to 1.5%. The Independent Democrats (ID), un-

der the leadership of Patricia de Lille, won 7.8% of the vote in the Western Cape in the 2004 election but by 2009 this had dropped to 4.7%. The ID has since merged with the DA. In 2009 the newly formed Congress of the People (COPE) managed to secure 7.7% of the vote and three seats in the Western Cape legislature.

Voter registration

Voter registration in the Western Cape has been relatively high since 1994. Registration declined in 2004 and 2009, but has since increased. When the voters' roll was certified by the IEC in March 2014 2 941 333 out of 3 771 271 eligible voters in the Western Cape were registered to vote. This amounts to a registration level of 78%.¹¹³

Table 3: Western Cape Voter Registration (1994-2009)

Election Year	Eligible Voting Age Population (VAP)	Registered population	Percentage Registered
1994	2 405 919	NA	
1999	2 317 171	1 864 019	80.4%
2004	3 024 207	2 220 283	73.4%
2009	3 746 547	2 634 439	70.31%
2014	3 771 271	2 941 333	77.9%

Sources:

Reynolds, A. The Results. In Reynolds, A. Ed. *Election '94: The Campaigns, Results and Future Prospects*. Cape Town: David Philip. (1994). 182-220.

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StatsSA. Data extracted from the mid-year population estimates, 2009.

Independent Electoral Commission. Retrieved March 24, 2014 from <http://www.elections.org.za>

Participation rates have fluctuated. Participation as a proportion of registered voters declined from 86% in 1999 to 72% in 2004 and then increased to 78% in 2009. Participation as a proportion of the voting age population (VAP) declined from 89% in 1994 to 69% in 1999. It then declined more dramatically to 53% in 2004 and then stabilised at 55% in 2009. Similar patterns are evident for the provincial ballot.

Table 4: Voting age population, registration and turnout in the Western Cape (National Ballot)

Election Year	Eligible Voting Age Population (VAP)	Registered population	Valid Votes cast	Percentage turnout based on eligible population	Percentage turnout based on registered population
1994	2 405 919	NA	2 126 013	88.90 %	NA
1999	2 317 171	1 864 019	1 601 922	69.13%	85.93%
2004	3 024 207	2 220 283	1 605 020	53.07%	72.28%
2009	3 746 547	2 634 439	2 049 097	54.69%	77.78%

Sources:

Reynolds, A. The Results. In Reynolds, A. Ed. *Election '94: The Campaigns, Results and Future Prospects*. Cape Town: David Philip. (1994). 182-220.

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StatsSA. Data extracted from the mid-year population estimates, 2009.

Table 5: Voting age population, registration and turnout in the Western Cape (Provincial Ballot)

Election Year	Eligible Voting Age Population (VAP)	Registered population	Valid Votes cast	Percentage turn out based on eligible population	Percentage turn out based on registered population
1994	2 405 919	NA	2 137 742	88.85%	NA
1999	2 317 171	1 864 019	1 587 978	68.53%	85.19%
2004	3 024 207	2 220 283	1 582 503	52.32%	71.27%
2009	3 746 547	2 634 439	1 987 777	53.05%	75.45%

Sources:

Reynolds, A. The Results. In Reynolds, A. Ed. *Election '94: The Campaigns, Results and Future Prospects*. Cape Town: David Philip. (1994). 182-220.

Reynolds, A. The Results. In Reynolds, A. Ed. *Election 99 South Africa: From Mandela to Mbeki*. Cape Town: David Philip. (1994). 173-209.

Piombo, J. 'The Results of Election 2004: Looking Back, Stepping Forward'. In J Piombo & L Nijzink (eds). *Electoral Politics in South Africa: Assessing the First Democratic Decade*. New York: Palgrave Macmillan. (2005). 231-249.

StatsSA. Data extracted from the mid-year population estimates, 2009.

Party dynamics

The fact that no party in the Western Cape can take its supporters for granted has resulted in high-stakes elections and increased contestation. Afrobarometer surveys reveal that voters in the Western Cape exhibit lower levels of party identification than voters in other provinces.¹¹⁴ Since the DA seized control from the ANC in 2009 relations between the DA and the ANC in the Western Cape have been characterised by dysfunctional competitiveness. Besides policy differences and the usual vigour with which incumbent and opposition parties engage each other, the political landscape in the province has become toxic. Each party has come to consider the other as being the primary obstacle to its goals and appears driven by the desire to highlight the shortcomings of the other.

The acrimony and hostility permeate almost all visible engagements between these two parties. Constructive engagement is rare, and governance in the province is marked by high levels of distrust. The ANC in the Western Cape has criticised the DA as being uncaring, inaccessible and unresponsive to the poor, highlighting in particular the disparity between the rich and poor in the province.¹¹⁵ The DA in turn charges that the ANC is trying to destabilise the province and sabotage its governance efforts.

These destructive patterns of engagement are especially pronounced during the campaign period and are compounded by the importance accorded to the 'coloured vote'. The reason for the alternation in power is said to lie with the coloured majority in the province. These explanations, which are premised on the racially based motivations of voters, feed into the choices, rhetoric

and behaviour of political parties. Perceptions of the importance of the 'coloured vote' have resulted in campaigning that often encompasses unintentional or deliberate racial mobilisation and inflammatory political rhetoric. Ultimately citizens suffer because the province is plagued by issues which require the involvement of all stakeholders. Indeed Archbishop Emeritus Desmond Tutu went as far as to call Cape Town a "ticking time bomb with violent crime leading to a 'grotesquely abnormal' situation which will only get worse if urgent action is not taken".¹¹⁶

Protests and their impact

The Western Cape has been plagued by protests. In 2012 farm workers in the Western Cape embarked on protest action for higher wages and improved working conditions. The protests highlighted issues of poor pay, poor working conditions and adequate

housing as their main problems. The violence that erupted in many farming towns resulted in the loss of life.¹¹⁷ Following the farm worker protests, protests sprung up in the townships of Gugulethu, Khayelitsha and Nyanga in what became known as the “poo protests” in which protestors threw faeces on the stairs of the provincial legislature of the Western Cape and later at the Cape Town international airport.¹¹⁸ Thousands of people took to the streets marching through the city centre of Cape Town causing damage to many businesses in the CBD. Several other protests were held by the “poo protestors” in which the national roads had to be closed.

In a study published in June 2013, the intelligence Bulletin reports that 25% of protests taking place in the country took place in the Western Cape, costing the province R13 million. Between 2012 and 2014, the farm worker protests and service protests have been the biggest and most violent protests the province has seen. Reasons for the protests include access to land, adequate housing, proper sanitation and the lack of jobs. Residents of townships, where the majority of protests take place, raised issues of using portable flush toilets inside their dwelling when it rains and the areas they live in being dirty and refuse not being collected.¹¹⁹ Other grievances include dissatisfaction with local council and administrations that are unresponsive to citizens’ needs as well as corrupt.¹²⁰

There are clear political dynamics underpinning the volatile situation in the Western Cape. In addition to issues of service delivery, political tension has been cited as a contributing factor.¹²¹ The DA blames the ANC for fuelling protest action, while the ANC blames the DA for not adequately dealing with the socio-econom-

ic issues faced by township residents. The DA was convinced during the farm workers protest that the ANC was deliberately stimulating anger among the residents in order to push its political agenda.¹²² On the other hand, leaders of the landless people’s movement argue that protests seem to be the only way to get the leadership of the province to pay attention, because once in power they turn against the voters.¹²³ These factors are compounded by what has been termed “unmonitored urbanisation”, wherein migration from other provinces puts pressure on provincial resources.¹²⁴

The role of civil society and faith-based organisations

In the context of elections civil society organisations and faith-based organisations can play an important role by educating citizens about elections, their rights and the value of elections within democracy. During elections and the pre-election period CSOs and FBOs can help to ensure a conflict-free, peaceful, tolerant, free and fair electoral environment.¹²⁵ The IEC also recognises the role of civil society in promoting civic and voter education. The IEC 2013 annual report indicates that successful meetings were held with civil society organisations, faith-based organisations, and traditional leaders to strengthen preparations for the 2014 elections.¹²⁶

The Western Cape is home to a vast number of civil society organisations (CSOs) and faith-based organisations (CBOs). As of January 2014, the Department of Social Development listed a total of 8 750 organisations registered in the Western Cape.¹²⁷ However, given the scale of violence in the province, the focus of religious groups and leaders in the Western Cape has been on conflict resolution. On 26 No-

vember 2013 a number of religious groups and civil society organisations in the Western Cape joined together and released a declaration signed by many well-known religious leaders such as former Archbishop Desmond Tutu, current Archbishop of Cape Town Thabo Makgoba as well as many religious academics.¹²⁸

This declaration calls for the faith community to take the lead in restoring the democratic values that are being denied “by political leaders who are trying to make the Western Cape ungovernable”.¹²⁹ In their declaration they cited the growing attack on public transport, violent protests in Cape Town in which stalls of informal traders were looted as well as the dumping of human waste on government buildings, which they see as an attack on democracy.¹³⁰

Conclusion

The trends outlined above are likely to continue. Since the DA won the province by such a narrow majority in 2009, the Western Cape is once again emerging as an attention-grabbing province. The 2014 election will be a high-stakes election marked by intense campaigning. At the time of publication service delivery protests continued.¹³¹

END NOTES

¹¹² I would like to acknowledge the assistance of Nosiphiwo Nabatala, Mfundo Mazwi and Ashlyn Bailey, who assisted with research for this article

Provincial Elections, 60,

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EASTERN CAPE

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Party dynamics

The Eastern Cape (EC) has a number of political parties that compete for political control of the province. In the 2009 provincial elections only five political parties made it into the 63 seats provincial legislature. The African National Congress (ANC) 44 seats; Congress of the People (Cope) 9 seats; Democratic Alliance (DA) 6 seats; United Democratic Movement (UDM) 3 seats and African Independent Congress (AIC) 1 seat. While 2014 elections race gets tighter the EC province is still free from political violence and thus far parties have enjoyed a violence free election campaign.

In the 2009 elections Cope replaced the DA which was the traditional main opposition party (official opposition) in the EC legislature. For the 2014 election campaign the DA's campaign tone in the province appears to be focused not on winning the province and become a governing party, but rather on winning back status as official opposition in the legislature. Cope, currently the official opposition in the Province has itself been embroiled in internal battles. Mirroring what has transpired nationally in Cope. Interminable rifts within Cope have germinated another new party in the EC. Cope in the Eastern Cape splintered, with former Cope leader Mluleki George forming a break away party, the United Congress (Unico) in November 2013. George blamed Cope leader Mosiuoa Lekota of not leading Cope properly as the reason of forming a break away

party.

The party will contest the 2014 elections nationally and in the Eastern Cape Province. The United Democratic Movement with its stronghold in the EC province managed only 3 seats out of 63 seats of the EC legislature in the 2009 elections. In the 2014 elections the UDM is expected to get a boost from forging a relationship with former Cope leader Sam Shilowa and a faction of Cope in the Eastern Cape Province.

Election Results

Table 1: Party votes distribution in the Eastern Cape over the voting periods, 1994, 1999, 2004, and 2009

	1994			1999			2004			2009		
Party Name	Votes	%	Seats	Votes	%	Seats	Votes	%	Seats	Votes	%	Seats
Pan Africanist Congress of Azania	59,475	2	1	24,837	1.1	1	22,324	1	1	12,108	0.54	0
Vryheidsfront / Freedom Front	23,167	0.8	0	7,287	0.3	0						
African Christian Democratic Party	14,908	0.5	0	20,857	1	0	17,372	0.78	0	11,974	0.53	0
African Democratic Movement	4,815	0.2	0									
African National Congress	2,453,790	84	48	1,606,856	74	47	1,768,987	79.3	51	1,552,676	68.8	44
Democratic Party	59,644	2.1	1	136,859	6.3	4						
Merit Party	2,028	0.1	0									
National Party	286,029	9.8	6									
Inkatha Freedom Party	5,050	0.2	0	7,166	0.3	0	4,373	0.2	0	2,270	0.1	0
Afrikaner Eenhedsbeweging	-	-	-	3,673	0.2	0						
Federal Alliance	-	-	-	3,575	0.2	0						
New National Party	-	-	-	70,141	3.2	2						
United Democratic Movement	-	-	-	296,015	14	9	205,993	9.23	6	93,196	4.13	3
Azanian People's Organisation	-	-	-	-	-	-	3,884	0.17	0			
Democratic Alliance/ Demokratiese Alliansie	-	-	-	-	-	-	163,785	7.34	5	225,310	9.99	6

Table 2: Voters turn out

Elections 1999			Elections 2004			Elections 2009			Elections 2014
Registered voters	Turn out	% Turn out	Registered voters	Turn out	% Turn out	Registered voters	Turn out	% Turn out	Registered voters
2, 454,543	2, 188, 184	89.15%	2, 849,486	2 ,277, 391	79.92%	3, 056,559	2, 344, 098	76.69%	3,240, 059

Table 3: 2014 registered voters

National and Provincial Elections (NPE) 2014 Certified Voters' Roll: 5 March 2014			
Percentage (%) registration against Stats SA Voting age population (VAP) by province			
Province	STATS SA VAP Estimate	Certified Voters' Roll (5 March 2014)	% Voter registration
Eastern Cape	3 794 352	3 240 059	85.4%

Sources:

http://en.wikipedia.org/wiki/Eastern_Cape_Provincial_Legislature

<http://www.news24.com/Elections/News/ANC-submits-provincial-candidate-lists-to-IEC-20140311>

<http://www.dispatch.co.za/news/da-aims-to-topple-cope-as-ec-official-opposition/>

<http://www.sabc.co.za/news/a/25ef400043062f8080179f895990ad13/Newly-formed-UNICO-launches-its-manifesto-in-E-Cape-20142202>

<http://www.sabc.co.za/news/a/c18e220041d677dda5c2ed5393638296/Newly-launched-party-aims-to-do-well-in-elections-20131511>

<http://www.dispatch.co.za/news/shilowas-cope-faction-set-to-join-udm/>

Role of civil society and faith-based organization

There has been a noticeable contribution of civil society organisations to election processes in the Eastern Cape Province. NGOs have often used public information gatherings such as seminars, public dialogues, public forums, public information, education and deliberation, advocacy and expression, Afesis Corplan for example, had on numerous occasions organised hosted seminars to debate and disseminate election messages (Election 2014, what is it in it for the Eastern Cape, a seminar hosted by Afesis Corplan on March 27, 2009).

The Eastern Cape NGO Coalition, a network of NGOs and Community based organisations in the Eastern Cape Province joined forces with the Daily Dispatch, the East London based daily newspaper, to host a public

dialogue entitled “You and the Constitution”. With Judge Albie Sachs as the key speaker the dialogue reflected on the constitution as a framework for meaningful public participation including participating in political processes. The South African Council of Churches (SACC) was previously involved in election processes through active involvement in voter education, public dialogue and election observation.

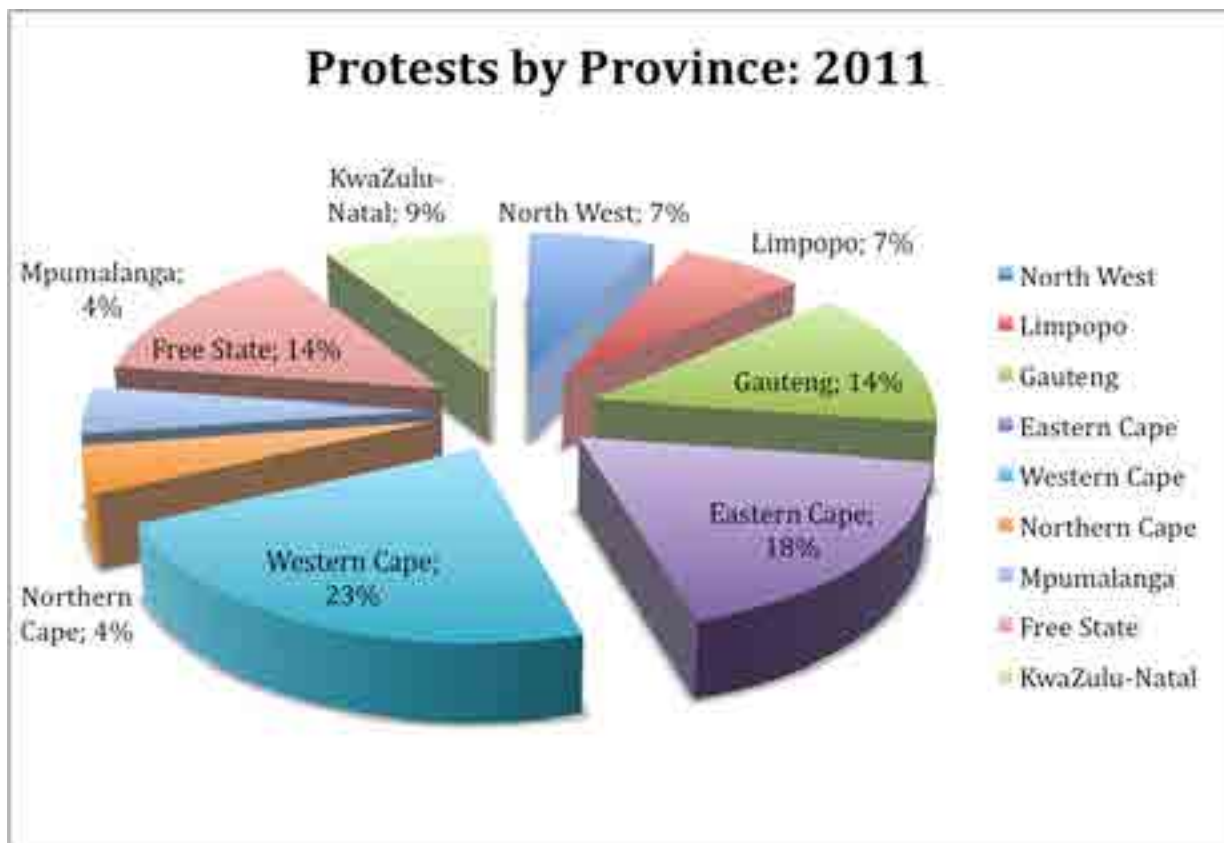
However in the lead up to the 2014 elections, details are scanty as to what efforts will be undertaken by the SACC and attempts at gleaning this information from the provincial office in the Eastern Cape, proved fruitless. Many NGO's and CBO's in the Eastern Cape, including Afesis-corplan, have planned for hosting political party seminars and debates where party representatives have an opportunity to engage each other and participants on crucial issues

affecting the Eastern Cape in reference to their party manifestos.

Protests and their impact

Protests have escalated in number and have become a daily occurrence in the Eastern Cape Province. In fact, at one time, the Eastern Cape registered marginally more protests than Gauteng, a traditional protest province¹³².

Figure 1: Service delivery protests by province



Source: Karamoko Jelani & J. Hirsh, 2011. Community Protests in South Africa: Trends, Analysis and Explanations. http://www.mlgi.org.za/publications/publications-by-theme/local-government-in-south-africa/community-protests/Community_Protests_SA.pdf. (Accessed 17 March 2014).

The reasons for the outbreak of protests in the Eastern Cape Province are numerous and vary from shack-dwellers in Nelson Mandela Bay (Port Elizabeth and Uitenhage) and Buffalo City (East London) to smaller towns such as Port St John's and Molteno to some deep rural villages¹³³.

The dynamics and geographical sites of protests in the Eastern Cape constantly shift from one area to another. The major causes of these focus on actual service delivery concerns ranging from housing, electricity, water and sanitation and roads. For example, the recent protests in Uitenhage in the wake of the demolition of illegally built shacks were as a result of high levels of frustration and distrust. They destroyed not only community infrastructure but also directly targeted council-

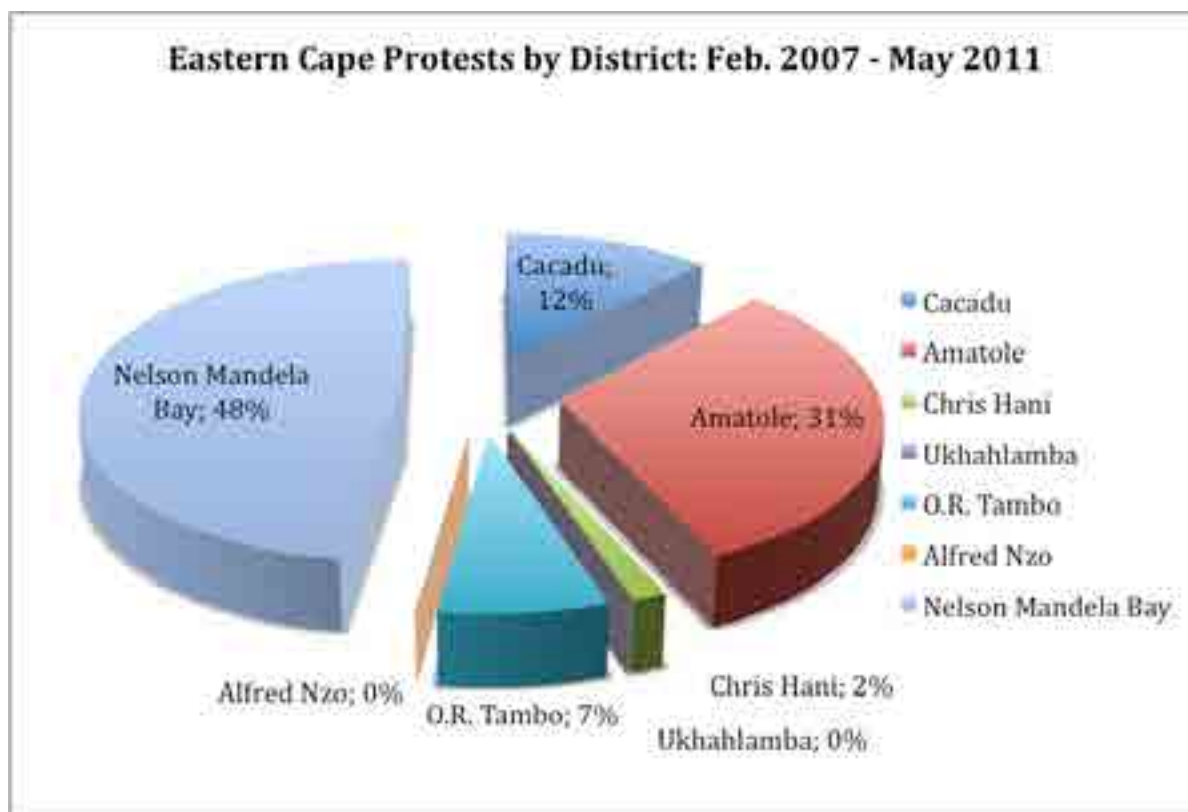
lors and their property as well as foreign shop owners¹³⁴.

A Protest broke out in Missionvale, Port Elizabeth and Cookhouse near Cradock where residents expressed their dissatisfaction with the rate of housing delivery. On June 18, 2013, The Daily Dispatch reported the eighth incident of increasing violent unrest connected to service delivery failure in Buffalo City¹³⁵.

At the beginning of the month of March this year, a service delivery protest broke out in Reeston, an informal settlement located on the Mdantsane Access road in East London. Chaos broke out as a result of residents gathering to protest over the poor state of gravel roads in that informal settlement. As a result, the residents blocked the main road with burn-

ing tyres and tree stumps paralysing traffic.

Figure 2: Service delivery protests by district in the Eastern Cape



Source: Karamoko Jelani & J. Hirsh, 2011. Community Protests in South Africa: Trends, Analysis and Explanations. http://www.mlgi.org.za/publications/publications-by-theme/local-government-in-south-africa/community-protests/Community_Protests_SA.pdf. (Accessed 17 March 2014).

Press reports appear to repeatedly predict a decline in the ANC support in the days leading up to general elections. However, the real impact, either on party support patterns or on voter turnout is in fact unpredictable and unknown. Some indicators, though concerning local government, in which the issues are different and not analogous to national elections.

Recently concluded local government by-elections for ward 3 in Buffalo City for example, the Democratic Alliance (DA) retained the ward¹³⁶. The victory saw DA's support increase from 54% to 82 %. This itself, while not generalisable, is noteworthy.

END NOTES

¹³² Business Day live, Protests in Eastern Cape echo those in Gauteng. Available online: <http://www.bdlive.co.za/opinion/2013/12/12/protests-in-eastern-cape-echo-those-in-gauteng>. (Accessed 17 March 2014).

¹³³ Ibid

¹³⁴ Ibid

¹³⁵ Daily Dispatch, *Violence grows as desperate Buffalo City service protests go unheard*. Available online: <http://www.dispatch.co.za/uncategorized/violence-grows-as-desperate-buffalo-city-service-protests-go-unheard/>. Accessed (17 March 2014)

¹³⁶ Daily Dispatch, *Landslide poll boost for DA*. Available online: <http://www.dispatch.co.za/news/landslide-poll-boost-for-da/>. (Accessed 17 March 2014).

MPUMALANGA

Oupa Makhalemele – Independent Researcher

Introduction

The four tables below reflect the ruling party African National Congress (ANC) as a dominant party in Mpumalanga Province. With its electoral share hovering around the mid-80 percentile region, the ANC has since 1994 left opposition parties in the province trailing far behind, perhaps indicating the lack of options for the majority of the electorate in Mpumalanga. In 1994 the ANC took 84.83% of the vote, scooping 26 seats. The main opposi-

tion party, the Democratic Party, came a distant second at 4.48%; while the New National Party got 2.28% and the Freedom Front 1.70% – taking a seat each in the Provincial Legislature. In 1999 the ANC took 84.86% of the vote, again winning 26 seats, while the Democratic Party won 4.46%, the New National Party got 2.47% and the Freedom Front won 1.70%.

A newcomer, the United Democratic Movement (UDM), won 1.42%. Again, these four parties won a seat each in the 1999 elections. The 2004 elections saw the ANC win 86.30% of the votes,

taking 27 seats, one more than in the previous two elections. The rechristened Democratic Alliance took 6.94%, winning two seats in the provincial legislature, while the rechristened Freedom Front Plus won 1.24% and took a single seat in the legislature. In the 2009 election a similar picture emerged, with the ANC winning 85.55% and taking 27 seats, while the DA won 7.49% and two seats and the newly formed Congress of the people (Cope), which was a recent ANC break-away party, won 2.91% of the vote and won a single seat in the legislature.¹³⁷

Election results¹

Mpumalanga 1994

Party	Votes	Percentage	Seats
African National Congress	954, 788	84.83	26
Democratic Party	50, 421	4.48	1
New National Party	27, 909	2.28	1
Freedom Front	19, 170	1.70	1
Total	1,052,288	93.29	29

Mpumalanga 1999

Party	Votes	Percentage	Seats
African National Congress	954,788	84.86%	26
Democratic Party	50,421	4.46%	1
New National Party	27,909	2.47%	1
Vryheidsfront/Freedom Front +	19,170	1.70%	1
United Democratic Movement	16,013	1.42%	1
Total	1,068,301	94.91%	30

Mpumalanga 2004

Party	Votes	Percentage	Seats
African National Congress	959,436	86.30%	27
Democratic Alliance	77,119	6.94%	2
Vryheidsfront Plus/Freedom Front +	13,732	1.24%	1
Total	1,050,287	94.48%	30

Party	Votes	Percentage	Seats
African National Congress	1,110,190	85.55%	27
Democratic Alliance	97,204	7.49%	2
Congress of the People	37,789	2.91%	1
Total	1,245,183	95.95%	30

Voter registration and turnout

There were 1,277,783 registered voters for the 1999 elections in Mpumalanga. The actual voter turnout was 1,147,086, representing 89.8% of the registered voters in the province. Of the ballots cast, 21,502 were invalid, leaving a total of 1,125,584 of valid votes.

The 2004 results were mixed. While the number of registered voters was higher than 1999, at 1,442, 472, only 78.30% of those registered actually turned up for the elections, compared to 90.08% in the previous elections.

In the 2009 polls 1,696,705 of residents of Mpumalanga registered for the elections, while 1,363,836 (or 80.4%) went to the polls. 20,583 (or 1.5%) of the votes were spoilt, leaving 1,343, 253 (or 98.5%). More residents of Mpumalanga voted in the 2009 elections than they did in the 1999 elections.

Election year	Eligible population	Registered voters	Voter turnout	Ballots cast	Spoilt or invalid votes	Valid ballots
1999	1 800 000*	1 277 783	90.08%	1 151 038	21 502	1 129 536
2004	1 800 000*	1 442 472	78.30	1 129 484	17 792	1 111 692
2009	?	1 696 705	77.61%	1 316 894	19 119	1 297 775

Source: Electoral Institute for Sustainable Democracy in Africa (EISA) Election Archive. Available at: <http://eisa.org.za/WEP/souelectarchive.htm>

* These estimates are based on the number of people living in Mpumalanga at the time and who were 18 years or older¹³⁹.

The Independent Electoral Commission's recent voter registration drive in November 2013 and February 2014 saw 5.5 million people in total visiting polling stations. This number included approximately 2.3 million new voters. The number of registered voters has thus been increased to 25.3 million, representing 80.5% of the 31.4 million people eligible to vote nationally. 2.3 million new voters were born after 1994, the year of the first democratic elections in South Africa. They will be voting for the first time.

Party dynamics

According to a survey run by Ipsos, titled *Pulse of the People*, these voting patterns are likely to remain largely unchanged come the 7 May 2014 elections. In the

study, a randomly selected sample of people aged 18 years and above was asked which parties they would vote for if the elections were to be run the next day in their province. Based on the assumption that not all people eligible to vote would do so, the survey found that the ANC would win the vote by a relatively moderate 63.4%, while the official opposition, the DA, would gain 9.1%. Interestingly, the survey found that the newly formed parties would make a better showing than some of the older parties. The Economic Freedom Fighters (EFF) would garner 6.8% and the Agang South Africa (AgangSA) party 4.6% of the vote in Mpumalanga. Sandwiched between these two would be African Christian Democratic Party (ACDP), with

5% of the vote.¹⁴⁰ As the numbers above indicate, the only party whose support has been growing steadily in Mpumalanga is the DA. Many analysts, however, attribute this to a lack of diversity in the political landscape, and a lack of a real alternative – which speaks to the frustrations and aspirations of the majority of the electorate.¹⁴¹ The entry into the landscape of the EFF, some believe, will most likely present such an alternative, although the party's longevity and its ability to withstand challenges ranging from defections to potential internal squabbles remain to be assessed.

Parties are vying for the youth vote as South Africa enters twenty years of democracy, the first time the so-called 'born-frees'¹⁴²

will be going to the polls. The ruling party, the African National Congress, looks poised to win these elections, thus consolidating its twenty-year dominance nationally (although the opposition Democratic Alliance (DA) seems to have consolidated its dominance in the only province it governs – the Western Cape).¹⁴³ Indications so far are that Mpumalanga is likely to continue showing support for the incumbent ANC, and the EFF is likely to make a poor showing by comparison despite its appeal to the marginalised unemployed youth, who are in the majority.

The ANC's stronghold, Mpumalanga, was chosen as the venue for the January 8 Statement. 2014 being the election year, the event, held in Mbombela on Saturday 11 January, was also the launch of the party's election manifesto.

The 2014 general elections approach at a time when divisions within the ANC and its allies reach new highs. Cosatu, the party's alliance partner, is reeling as its biggest affiliate union, Numsa, has broken ranks with the union federation, and has resolved to withdraw its endorsement of the ANC in the latter's election campaign. The booing of Jacob Zuma at the late Nelson Mandela's memorial in Johannesburg in December, and the public outrage following the so-called 'Nkandlagate' have demonstrated the waning popularity of the party leader and president of the republic.

The ANC Mpumalanga province-to-province list was described by some as indicative of factions within the party. The list – topped by incumbent chairperson and Premier David Mabuza – excluded provincial ANC veterans such as Fish Mahlalela (member of the legislature), Candith Mashego-Dlamini (MEC for health), Pinky Phosa (MEC for economic development), Ma-

dala Masuku (MEC for finance and SACP central committee member) and Sibongile Manana (MEC for arts and culture).

Other senior members in the province known to be in the anti-Zuma camp, notably Thomas Bongo and Peter Nyoni, also did not make the list. Mabuza's former deputy Charles Makola was among the PEC members excluded from the list. Former cabinet members Clifford Mkansi turned down his nomination and Meshack Malinga was also left out.

Also not elected were tripartite alliance members, the provincial SACP's Secretary Bonakele Majuba and William Lubisi, the Mpumalanga legislature speaker and SACP PEC member.

Allegations of impropriety were made against the procedure that led to the creation of this list, including the failure of David Mabuza to recuse himself as the process's chairperson, given that he had an interest (that of being on the list). Allegations were made that monies were seen dished out and that there was a list of names that delegates were instructed to vote for. These developments notwithstanding, the ANC does not seem to be in danger of losing its traditional support at the polls, according to the recent Ipsos Markinor polls. According to the polls, the ANC will secure 63.4%, followed by the DA at a distant 9.1% of the vote. Newcomer the EFF is predicted to come in at a third position, with a share of 6.8% of the vote.

Role of civil society and faith-based organisations

On 24 January the IEC sent out a tender notice for a service provider that would supply voter education in Mpumalanga using the medium of street theatre. The road show is titled: "The Voter and Balloting Theatre and Edutainment Roadshow" and is

expected to visit municipalities in Enhlanzeni District as follows:

Municipality	Date
Barberton	March 19
Nelspruit	March 20
Thulamahashe	March 21
Sabie	March 21
Komatipoort	March 22

Source: Low/Laevelder, 21 March 2014, accessed 22 March 2014

Protests and their impact

Mpumalanga has not been spared the nation-wide spate of public protests. As recently as Thursday 20 March 2014, the community of Lochiel near Oshoek embarked on a service delivery protest on the R17 road between Oshoek and Lochiel. They demanded RDP houses, water supply and sanitation. Earlier in January, ANC members in Pienaar and Bohlabela were reported to have organised protest marches, aimed to coincide with the ANC's 11 January manifesto launch. These planned protests were prevented from taking place, however. The ANC in Mpumalanga announced two weeks later that it would establish an investigation into the violent service delivery protests. The task team would comprise NEC and PEC members of the party, and is due to give a full report of the investigation in June 2014.

These protests, often dubbed service delivery protests, are often about tensions within the ruling party over the distribution of patronage at provincial and local government levels. With the disgruntlement over the provincial electoral list, some view the protests as instigated by members of the sidelined faction among the ruling party. These factors notwithstanding, the ANC's chances at the polls do not seem threatened by these protests.

END NOTES

- ¹³⁷ Electoral Institute for Sustainable Democracy in Africa (EISA) Election Archive. Available at: <http://eisa.org.za/WEP/souelectarchive.htm>. Accessed on 17 March 2014.
- ¹³⁸ All tables sourced from Electoral Institute for Sustainable Democracy in Africa (EISA) Election Archive. Available at: <http://eisa.org.za/WEP/souelectarchive.htm>. Accessed on 17 March 2014.
- ¹³⁹ Statistics SA, (1999), Mid-year population estimates South Africa,

available on: <http://www.statssa.gov.za/publications/P0302/P03022009.pdf>

Statistics SA, (2004), Mid-year population estimates South Africa, available on: <https://www.statssa.gov.za/publications/P0302/P03022004.pdf>

- ¹⁴⁰ Ipsos survey: *Provincial political party support in a moderate voter turnout scenario*, available on <http://www.bizcommunity.com/Article/196/19/107490.html>, Issued 16 Jan, 2014, accessed on: 15 March 2014

- ¹⁴¹ Academic Achille Mbembe was quoted as saying in Forde, F, 2014,

‘The ANC is hurting the poor,’ *Independent Online*, available on: <http://www.iol.co.za/news/politics/anc-is-hurting-the-poor-1.1671748>, accessed 6 April 2014.

- ¹⁴² The term ‘born-frees’ refers to those youth who are eligible to vote for the first time, having been born after the first democratic elections in South Africa in 1994.

- ¹⁴³ See the Ipsos survey: provincial political party support in a moderate voter turnout scenario, 16 January 2014. Available at: <http://www.bizcommunity.com/Article/196/19/107490.html>. Accessed on: 15 March 2014.

GAUTENG

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Introduction

Gauteng is the province with the highest population and contributes 33% to the national economy of South Africa and 10% to the GDP of the entire African continent. Gauteng is also the most expensive province to live in South Africa, and this may shape the electoral landscape for middle- and working-class voters. The province has been governed by the ANC since the onset of democracy. Since 1999, the ANC has consistently been able to retain a similar percentage share of voter support in the province over successive elections. The DA, the main opposition party nationally and in Gauteng, has increased its

share of support in small increments. A study of the results of the Local Government Elections of 2011 indicates that Gauteng and the Western Cape are the only two provinces where the DA has made marked inroads in voter support among African township voters.¹⁴⁴ This point must be taken with tentative caution, since local government elections are not an adequate predictor of patterns and trends in national elections because of the different electoral systems used, the varying nature of the issues at stake and the lower voter turnout levels in local elections. In any event, a cursory glance at successive election in the Gauteng province shows that the Democratic Party, one of the progenitor parties of the current Democratic Alliance (DA), performed exceptionally well in the 1999 elections, almost tripling its support from 1994.

By contrast, the subsequent DA increased its support modestly

from the DP’s relatively good performance in 1999 of 17% to the DA’s 20%. But between 2004 and 2009 the DA only increased its support very modestly, if at all, by one percentage point and got one more seat in 2009 than it did in 2004. Comparing the DA’s performance growth in Gauteng 2014 from 2009 on the back of poor growth from 2004 to 2009 will confirm whether voters would more likely have supported a principled ‘liberal’ party such as the Democratic Party rather than a perceptibly ideologically unrooted DA¹⁴⁵.

Election Results

PWV, now Gauteng, 1994

Party	Votes	Percentage	Seats
African National Congress	2 418 257	57.6	50
National Party	1 002 540	23.88	21
Freedom Front +	258 935	6.17	5
Democratic Party	223 548	5.32	5
Inkatha Freedom Party	153 567	3.66	3
Pan Africanist Congress	61 512	1.47	1
African Christian Democratic Party	25 542	0.61	1
Federal Party	16 279	0.39	0
African Muslim Party	12 888	0.31	0
Women's Rights Peace Party	7 279	0.17	0
Luso South African Party	5 423	0.13	0
Dikwankwetla Party of South Africa	4 853	0.12	0
African Democratic Movement	4 352	0.1	0
Ximoko Progressive Party	3 275	0.08	0
TOTAL	4 198 250	100.1	86

Table 1: from EISA website <http://www.content.eisa.org.za/sites/eisa.org.za/files/imports/import-data/WEP/sou1994resultsh.htm>

Gauteng 1999

Party	Votes	Percentage	Seats
African National Congress	2,485,064	67.85%	50
Democratic Party	658,231	17.97%	13
New National Party	142,563	3.89%	3
Inkatha Freedom Party	128,717	3.51%	3
United Democratic Movement	71,604	1.96%	1
Vryheidsfront/ Freedom Front	45,749	1.25%	1
African Christian Democratic Party	42,581	1.16%	1
Federal Alliance	32,493	0.89%	1
Pan Africanist Congress of Azania	26,774	0.73%	
Afrikaner Eenheidsbeweging	11,447	0.31%	
United Christian Democratic Party	8,596	0.24%	
Azanian People's Organisation	5,895	0.16%	
The Socialist Party of Azania	1,988	0.05%	
Labour Party	1,088	0.03%	
Total	3,662,790	100%	73

Table 3: Adapted from IEC website-
<http://www.elections.org.za/content/NPEPublicReports/50/Leading%20Parties/GP.pdf>

Gauteng 2004

Party Name	Votes	% Votes	Seats
African National Congress	2,331,121	68.40%	51
Democratic Alliance/ Demokratiese Alliansie	708,081	20.78%	15
Inkatha Freedom Party	85,500	2.51%	2
African Christian Democratic Party	55,991	1.64%	1
Independent Democrats	51,921	1.52%	2
Vryheidsfront Plus	45,648	1.34%	1
United Democratic Movement	33,644	0.99%	1
Pan Africanist Congress of Azania	29,076	0.85%	1
Nuwe Nasionale Party / New National Party	25,992	0.76%	
United Christian Democratic Party	8,857	0.26%	
Azanian People's Organisation	8,670	0.25%	
Christian Democratic Party	7,773	0.23%	
Nasionale Aksie	4,712	0.14%	
Peace and Justice Congress	3,208	0.09%	
The Socialist Party of Azania	3,191	0.09%	
Economic Freedom Movement	1,862	0.06%	
Pro-death Penalty Party	1,825	0.05%	
Black Consciousness Party	1,236	0.04%	
Total	3,408,308	100.00%	73

Table 3: Adapted from IEC website-<http://www.elections.org.za/content/NPEPublicReports/50/Leading%20Parties/GP.pdf>

Gauteng 2009

Party Name	Votes	% Votes	Seats
African National Congress	2662013	64.04%	47
Democratic Alliance/Demokratiese Alliansie	908616	21.86%	16
Congress of the People	323,327	7.78%	6
Vryheidsfront Plus	67660	1.63%	1
Inkatha Freedom Party	61856	1.49%	1
African Christian Democratic Party	36099	0.87%	1
Independent Democrats	25243	0.61%	1
United Democratic Movement	16480	0.40%	
Pan Africanist Congress of Azania	12880	0.31%	
United Christian Democratic Party	10,091	0.24%	
Azanian People's Organisation	8,927	0.22%	
Movement Democratic Party	5,731	0.14%	
African People's Convention	5123	0.12%	
Christian Democratic Alliance	2901	0.07%	
African Christian Alliance – Afrikaner Christen Alliansie	2541	0.06%	
Women Forward	1974	0.05%	
Great Kongress of South Africa	1909	0.05%	
National Democratic Convention	1497	0.04%	

Alliance of Free Democrats	1101	0.03%	
New Vision Party	1079	0.03%	
Total	4,157,048	100.00%	73

Table 4: Adapted from IEC website

<http://www.elections.org.za/content/NPEPublicReports/169/Leading%20Parties/GP.pdf>

Voter Turnout

Election Year	Registered Population	Completed VD's	Total Votes Cast in Completed VD's	%Voter Turnout
2004	4,650,594	4,650,594	3,553,098	76.40 %
2009	5,555,159	5,555,159	4,391,699	79.06 %

Table 5: Adapted from IEC website

<http://www.elections.org.za/content/NPEPublicReports/169/Voter%20Turnout/GP.pdf>

<http://www.elections.org.za/content/NPEPublicReports/50/Voter%20Turnout/GP.pdf>

Party dynamics

While most political parties' campaigns focus on similar issues and tend to take on national campaign messages, province specific campaigns have been evident among some opposition parties, with the DA primarily latching onto the controversial E-toll system for Gauteng roads and the apparently pervasive abhorrence for it among some sections of the population as a campaign issue. Gauteng and the Western Cape are likely to be the most competitively contested provinces among the parties in forming a provincial government.

On the weekend of the 22nd and 23rd of February, several parties had campaign events in close proximity to each other. The EFF's launched its manifesto in Tembisa, while the ANC Youth League hosted a campaign event relatively close by, sparking fears that the proximity of these events may spark tensions and conflict between them. The events, however, went off without incident. The EFF rally and manifesto launch drew massive media and public attention, with (unconfirmed) crowd estimates of 50 000 people. The manifesto launch drew representatives from

other "left-leaning" parties, or those that purport to share a common ideological posture, such as the Black Consciousness Movement (BCM), the Azanian People's Organisation (Azapo), the Socialist Party of Azania (Sopa) and the Pan Africanist Congress (PAC),¹⁴⁶ indicating either the potential for future amalgamations, coalitions and alliances, or issue-based co-operation in the short term.

Similar to Cope in 2009, the EFF's manifesto launch garnered considerable media attention and coverage, essentially and ostensibly because they were both breakaways from the ANC. Unlike Cope, however, the EFF has absorbed prominent representatives of other apparently left-leaning political formations. The EFF's election manifesto also distinguishes it markedly in its key themes and ideological approaches, and differentiates it from all the other parties. Its campaign mode, paraphernalia, rhetoric and trademark red beret also give the EFF a distinct campaign style, and although there are widespread suggestions that the EFF primarily appeals to poor, marginal and disaffected youth, indications in the Gauteng province are that although this

may be true, a large part of the EFF's support is drawn from an ascendant black professional, technical and managerial occupational class frustrated by the perceived lack of transformation in the professions, in industry and in the economy in general. This may be a small segment of EFF support, but is highly visible.

When Cope was formed by former high profile ANC leaders, there was an assumption that they would take with them a huge chunk of ANC voter support. Part of the media and sections of public opinion overestimated projections and inflated expectations of how well Cope would perform in the 2009 elections. As it turned out, Cope achieved 7.7% of the vote share nationally. A much more cautious approach to predictions have been exercised before the 2014 elections, especially with regard to the EFF, viewed like Cope as another breakaway from the ANC, even though this is an inaccurate characterisation of the EFF. Though the EFF in the main appears to include some who broke away from the ANC Youth league, it includes The September National Imbizo (SNI) which began as a social movement initiative, fragments of the African Peoples Convention and

some fragments of the socialist oriented black consciousness formations. Consequently, estimates of the EFF voter support for 2014 are being more conservatively estimated.

The EFF's distinct message, however, does differentiate it from Cope in that it has clear, distinct and identifiable policies; they have an appeal across several different political formations as noted above, and propose a radical shift from current government policy which may prove more attractive to a disillusioned working and under class who live in the most expensive province in the country, than Cope might have had in 2009. The EFF will however be faced with the reality that the cohort within which its popular support is demographically located is unlikely to have registered to vote and, if registered, may be fickle on election day in actually turning out to vote.

After the IEC published the final candidate lists for the National Assembly and the provincial legislatures it became clear that political defections, movement between parties and absorption of parties have been a feature of the electoral landscape in the period immediately before the 2014 elections. A DA MP in the National Council of Provinces, Beverly Abrahams, resigned in parliament before being placed number 118 on the ANC list. Defections from the DA to the ANC at local level in Gauteng continued after that. DA councillors Sam Moimane and Sello Maila left the DA, alleging that they were not allowed to "develop" in the DA because of their race. "I have never experienced apartheid, but I found the symptoms of apartheid in that party," Moimane said.¹⁴⁷ All in all, four councillors of Johannesburg and Ekurhuleni left the DA to join the ANC, and four DA councillors in Tshwane

left to join the ANC in March. While there has been movement between the ANC and Cope, the only significant movement between parties in Gauteng has happened between the ANC and DA. It is unclear what constituency each of these defectors would take along with them, but sitting MPs of one party being catapulted onto the list of a party it just joins may breed disgruntlement among existing and long-standing members of parties.

The announcement by the DA that Dr Mampela Rampele from the newly formed AgangSA would be its presidential candidate and the subsequent failure of that agreement has sparked both tensions between the two parties and tensions within them, with some AgangSA members initially resolving to expel Dr Rampele from the party. The DA Gauteng North leader, Khume Ramulifho, opposed this, suggesting that the move indicated that the DA does not have any other worthy candidates within its party structures.¹⁴⁸ This constituted a substantial public-relations disaster for both the DA and AgangSA. Being an established party, the effect on the DA among its likely voters was minimal, but credibility for AgangSA with no record or party capability to mitigate the negative effects of this flop may be monumental, and may also be currently manifested in a lacklustre and almost invisible election campaign. Both parties appear to have papered over the internal cracks that resulted from the AgangSA-DA deal, with occasional snide swipes directed at each other.

Past election results show that between 1999 and 2004, the DA was able to increase its percentage vote share in the province by 2.8%. Between 2004 and 2009, its vote-share increased by only 1.082%. This smaller increase may have been caused by the

emergence of Cope, or it may be that the DA had reached its full growth potential.

While the EFF's emergence may serve to fragment the vote for opposition to the ANC in general, the weakness of Cope due to factional battles and the putative merger between the DA and AgangSA means that the DA may be able to secure a slightly wider section of the middle-class vote than it historically has, as a greater number of blacks become upwardly socially mobile and begin to identify with the DA to a greater extent.

Role of civil society and faith-based organisations

EISA, in cooperation with the South African Catholic Justice and Peace Committee and the Cooperative Research and Education (Core), has partnered with community-based organisations to engage in voter education. The project developed a full voter-education programme, which among other activities trained 45 voter educators with an emphasis on youth and women in particular, to conduct voter education in communities in Gauteng.

Youth-oriented and -focused work on the elections is also being carried out by a civil society organisation called InkuluFree-Heid, which launched a comprehensive election-education campaign called Our Voice Our Vote (OVOV) that has as its chief objectives encouraging young South Africans to register to vote in the 2014 general election, and ensuring that they make informed decisions on Election Day.¹⁴⁹ The OVOV campaign has engaged the youth in different areas of Gauteng, educating communities on voting procedures and informing the public by producing policy summaries contained in each of the parties' manifestos.

In addition, many media houses, as well as NGOs and CBOs including religious, professional and business associations, have held election-related public events.

The South African Chamber of Commerce and Industry (SACCI) held an election debate at the Johannesburg Country Club in Auckland Park on 5 February 2014. Representatives of the six best-represented parties in the National Assembly were invited to address the audience on macro-economic policy issues. The event attracted high-profile representatives of the major parties in the country.

On 23 February 2014, the South African Broadcasting Corpora-

tion (SABC) held its debate at UJ. The SABC debate takes place every week in the lead-up to the elections, where participants consist of party representatives and academics and themes change in every debate. The first theme was called *Free and Fair Elections in a highly charged atmosphere of violent protests*.¹⁵⁰ Several radio stations, both commercial and from the public broadcaster, have had massive election-related coverage notwithstanding competition from two high-profile murder trials which have captured public attention at the time of the elections.

Protests and their impact

According to research conducted by Municipal IQ and the Uni-

versity of Johannesburg (UJ), Gauteng as a province experiences the highest volume of community protests in the country, and this may colour the electoral environment. An analysis of the data provided by the researchers shows that Gauteng's high volume of protests is due to a combination of factors. The data also indicates that protests around the country occur most frequently in urban and peri-urban communities.

Being the most urbanised province in the country, Gauteng contains within its provincial borders three major metropolitan areas, and this means that it is likely to have a higher volume of protests than other parts of the country.

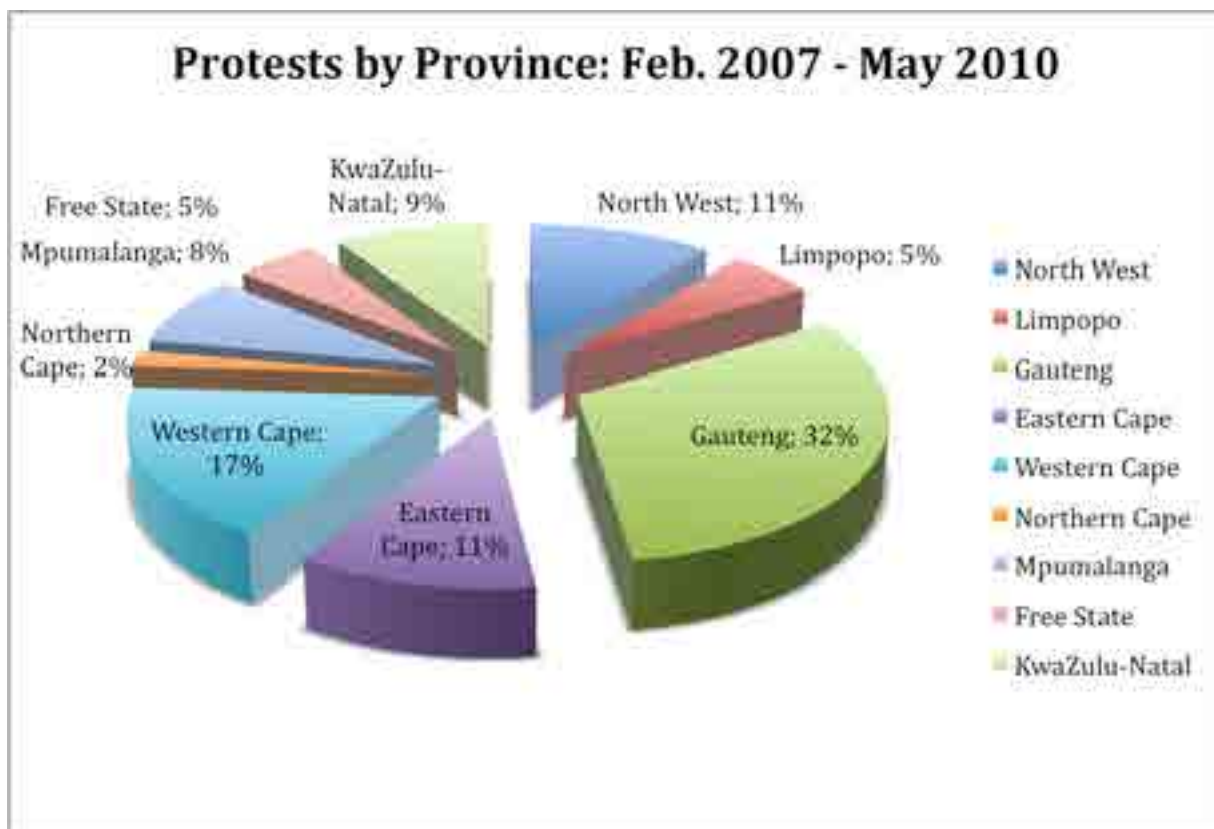


Chart 1: from 2011 Multi-level Government Initiative Report, *Community Protests in South Africa: Trends, Analysis and Explanations*, http://www.mlgi.org.za/publications/publications-by-theme/local-government-in-south-africa/community-protests/Community_Protests_SA.pdf

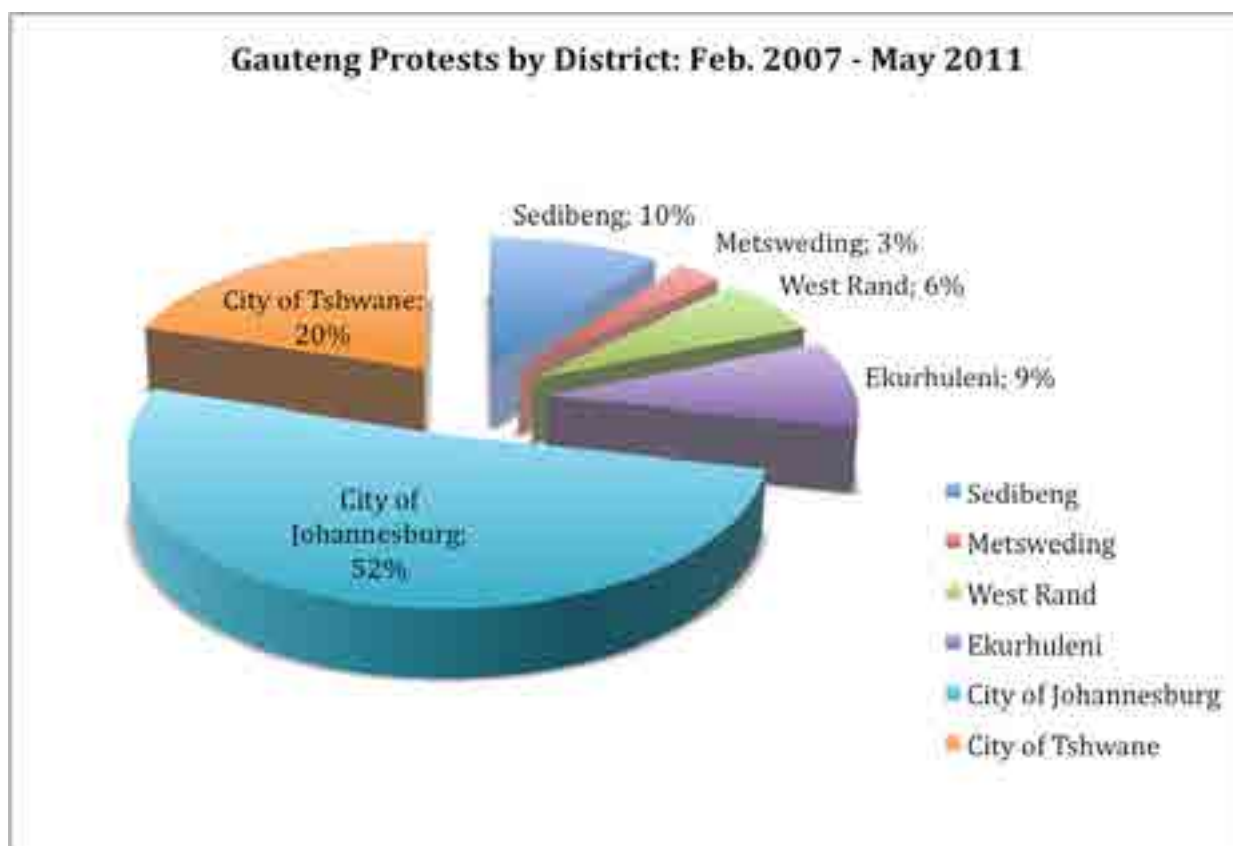


Chart 2: from 2011 Multi-level Government Initiative Report, Community Protests in South Africa: Trends, Analysis and Explanations, http://www.mlg.gov.za/publications/publications-by-theme/local-government-in-south-africa/community-protests/Community_Protests_SA.pdf

The results of the 2011 census show that Gauteng received the highest proportion of internal migrants in the 10 years between 2001 and 2011, at 26%.¹⁵¹ Gauteng has the highest overall population and it is also the province with the highest population of migrants from other countries coming into South Africa. Half of Gauteng's population¹⁵² is made up of migrants, and this is one of the factors that government officials point to as an explanatory factor for protests in the province. This reasoning uses the 2008 "xenophobic" attacks as a departure point to explain that the current spate of protests are fuelled by the fact that Gauteng's administrative capacity is overloaded due to both its own large population size and the additional burden that the prevalence of migrants in the province places on it.

Government officials have also stated that the media are not accurate about the way that they label these protests, proclaiming that they are not necessarily "service delivery" protests. In Sebokeng on 5 February when a protestor was shot dead, ANC Provincial Secretary in Gauteng David Makhura said: "They are not service delivery protests". "We have always characterised this, not as service delivery protests, they are protests relating to one type of development issue or the other."¹⁵³ This kind of appeal falls within the broader narrative that the president used to explain protests in the State of the Nation Address. "When 95 percent of households have access to water, the 5 percent who still need to be provided for feel they cannot wait a moment longer. Success is also the breeding ground of rising expectations."¹⁵⁴ Jeremy Cro-

nin, Deputy Minister for Public Works and SACP deputy general secretary explains that the articulation of this argument was not well explained by the president, but the argument is valid nonetheless. Cronin asserts that it is the uneven provision of services that underpin protests. Cronin also goes on to explain the reason behind the Gauteng protests that were in the media spotlight over the past few months: "While the immediate issues were different in the three townships, in every case, competing ANC factions linked to former councillors and now out of favour local small businesses were behind the mobilisation of angry youth. In deeply frustrated communities, allegations – well-founded or not – of corruption and misspending easily gain traction. And so, once again, it's not so much the absence of services but desperate

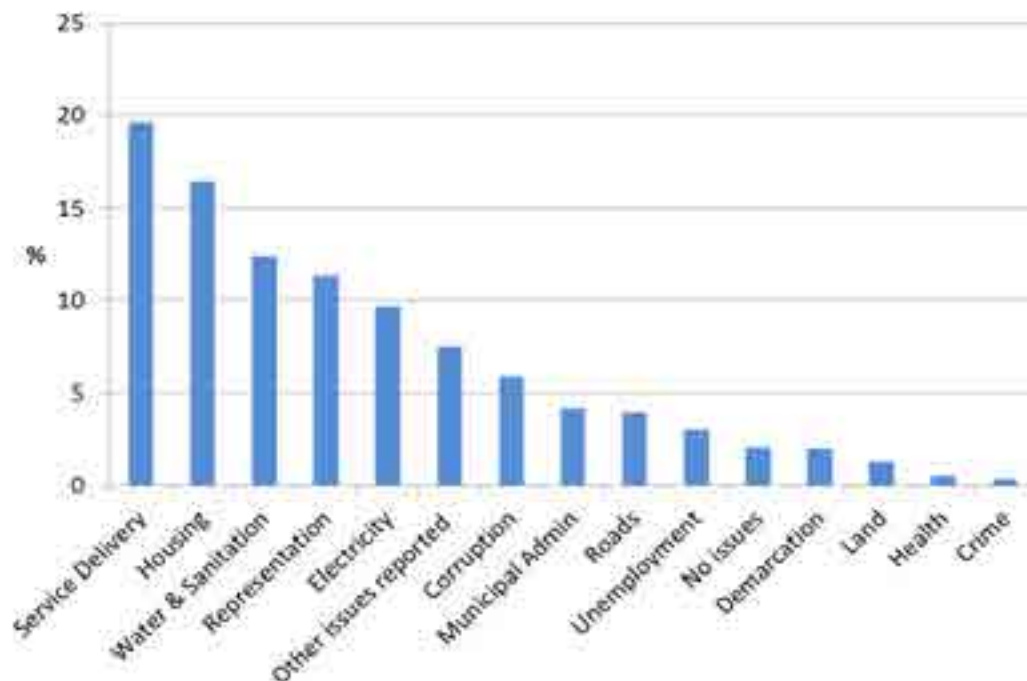
competition over who controls their allocation that triggers protest.”¹⁵⁵

According to research conducted by the Social Change Research Unit at UJ, a total of 43 protesters were reportedly killed by police between 2004 and 2014. Professor Peter Alexander, the Research Chair in Social Change at UJ, said that the number of protests this year has not been exceptional but the number of killings that happened during protests are: “The number of service delivery protests annually in South Africa has been increasing

since 2004 and since 2009; more of them have turned violent.”¹⁵⁶ In explaining the sometimes violent nature of protests, Trevor Ngwane, researcher at the Social Change Research Unit, suggests that communities engage in protests after they have exhausted other options of engagement with authorities, suggesting cheekily that “Often when people start hitting the streets they should have a banner saying ‘all protocol observed’”. In stark contrast to this the Human Settlements MEC for Gauteng Ntombi Mekgwe suggests that violence is avoidable, saying: “There are a number of

avenues which are available to members of the community to raise their concerns”.¹⁵⁷

On the appeal by the ANC and other alliance partners that the protests can simply be attributed to factionalism, researcher Carin Runciman on 12 February 2014 at a presentation of the research findings to the media explained that “Such characterisations of these protests serve to de-legitimise the grievances and agency of ordinary working-class people”.¹⁵⁸



Graph 1: showing Grievances cited by protesters 2004-2013, Media Briefing: Community Protests 2004-2013: Some Research Findings, Social Change Research Unit, Prof Peter Alexander, Dr Carin Runciman and Mr Trevor Ngwane; Social Change Research Unit, Media Briefing Community Protests 2004-2013

The following is an account of some of the more prominent protests that have occurred in Gauteng in recent times.

It is clear that the Community protests that have occurred over the past ten years in Gauteng and across that country cannot simply be characterised by either government successes, uneven deliv-

ery of services, internal migrants and the resultant capacity deficit or ANC factional battles. According to the findings of the aforementioned research conducted at UJ, protests are caused due to a number of contributing factors. The top five grievances were about service delivery in general, housing, water and sanitation, political representation and elec-

tricity and corruption, municipal administration, roads, unemployment, demarcation, land, health and crime also featured. Trevor Ngwane, in an interview with the South African Civil Society Information Service, explains that protests are specifically about the issues mentioned above but, taking into account the host of protests and the varying reasons

why people engage in protests, the “service delivery” protests are a reflection of communities demanding a better quality of democracy¹⁵⁹. The engagement in protests by citizens is therefore, part and parcel of democracy because democratic engagement is not limited to the process of voting.

Of importance is the area of Bekkersdal, which has gained notoriety since community members in the township near Westonaria took to protesting from September through to the end of October 2013. Residents demanded the resignation of the Mayor of Westonaria Municipality and that the Municipality be placed under administration. Resident grievances seem to stem mainly from that fact that sewerage had not been collected and then later protests intensified amid claims from residents that the municipality was corrupt. The estimated damages were in the region of about R11.2 million, when protesters destroyed a community hall, a gymnasium, a mobile library and municipal offices.¹⁶⁰

More recently, Bekkersdal was involved in incidents of violence on the weekend of the 8 February 2014, which was the last weekend of registration for voting in the May elections. The IEC claimed that most of the 22 000 voting stations opened on time without incident, even in areas with a history of protest, but the two voting stations in this area had to be closed due to petrol bombs being thrown at the them. The IEC claims that the registration process was going smoothly until the infamous Red Ants Private Security Group was deployed, which aggravated residents.¹⁶¹

The media coverage around protests is not able to grasp the deeper motivations of citizens when they take to protesting. What the media coverage is able to illus-

trate is the dissatisfaction of citizens through the accounts of violence and destruction that occur during the protests.

In Gauteng, the protests have served as an entry-point for parties to engage citizens and the media. In a statement Human Settlements MEC Ntombi Mkgwe said: “We also have no doubt in our minds that this sudden upsurge in violent protests is linked to the upcoming elections”.¹⁶² Whether this statement is factual or not, the statement is made in light of the fact that other parties have used protests in Gauteng and other parts as an element of their electoral strategies.

The EFF has visibly been at the forefront of protests: their red berets can be seen in the protests and during a protest in the North West, pictures were taken showing EFF members dropping tyres to burn at a protest. Julius Malema, the party’s leader, unequivocally supports the community protests and believes that protests are the ANC getting what it deserves.¹⁶³ There have been some incidents of protests where EFF members were chased away by community members.

At a protest in Protea South in Soweto in August 2013, EFF members were told by community members that they were only welcome to stay at the protest if they removed their red berets, because the community felt that they did not want the protest to dissolve into petty politicking.¹⁶⁴ The EFF’s attempted engagement with and inveigling itself within the protests is not surprising, as the party is founded on representing the interests of the “disaffected”.

Surprisingly, of late the DA, whose regular constituency is not part of massive direct action apart from its increasing proclivity for organised marches, has

also decided to use the protests in Gauteng to interact with the electorate after ignoring them for close on to a decade. Following protests in Sebokeng where protesters were killed, the DA became active in the area to help the families of slain protestors. Musi Maimane, the DA’s premier candidate for Gauteng, said: “We would help the family with moving the body of Lerata [Raboli-la] from Sebokeng to Ficksburg where he is originally from. Let’s register to vote for change. We need to have different kinds of protests not protests about basic needs such as water and electricity ... People are dying during protests and the president or his senior staff fail to address their people. This is not the ANC of Nelson Mandela”.¹⁶⁵

It is interesting that the DA, despite having often been at the forefront of organised marches for a clearly defined objective in the past, have opted to get involved in community protest action which they have traditionally chosen to stay away from, even if their involvement was only after the fact. After “service delivery” protest marches in Sterkspruit in the Eastern Cape in 2013, leader of the DA Hellen Zille, while addressing a crowd, was quoted as saying: “The truth is, protest marches rarely change anything because making a noise doesn’t change a government.” “It is no good voting ANC on Wednesday and toyi-toying on Thursday. You must vote for a different party”.¹⁶⁶

In the main, it is yet to be seen whether the upsurge of protests will have a major impact at the polls or whether political parties’ opportunistic engagement with them will have a marked impact on voter allegiance.

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THE FIRST TO DEFEND THE RIGHTS OF OTHER PARTIES? – THE ANC AND THE PROBLEM OF INTIMIDATION IN SOUTH AFRICA¹

David Bruce, Independent Researcher on behalf of the Community Agency for Social Enquiry (CASE)²

“We fought against no-go areas and will be the first party to defend the right of other parties to campaign wherever they wish”. (Jacob Zuma, 13 January 2014)³

Introduction

During the build-up to the 2014 election there have been at least four incidents of political intimidation that were widely publicised in the news media.

- On 26 September 2013 members of the ANC-aligned South African Students Congress (SASCO) were involved in a confrontation and ‘scuffle’ with members of the Economic Freedom Fighters at the University of South Africa (UNISA) in Pretoria. The confrontation, during which it is alleged that four SASCO members were hurt, apparently took place while SASCO members were

singing songs in order to try to disrupt an address by EFF leader Julius Malema.⁴

- On 11 January 2014 the EFF staged an event close to the Nkandla homestead that has been built for President Jacob Zuma. Prior to the event EFF members built a house for a resident in the area. As EFF leader, Julius Malema arrived for the event, at which he was due to hand over the house: ANC members blocked the progress of his car, forcing him to get out and walk to the house. When he had made his way through the crowd, ANC supporters began throwing bottles of water and stones at him.⁵
- On 12 February 2014 a Democratic Alliance (DA) march to Johannesburg’s Beyers Naude Square was terminated prematurely after the police told the DA that it was too dangerous to continue. At the point when the DA initially announced the march, saying that the destination for the march would be the ANC’s Luthuli

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House, the ANC Youth League issued a formal statement threatening the DA with violence.⁶ When the march eventually took place it was agreed that it would head towards Beyers Naude Square, close to Luthuli House. Amongst a crowd of ANC supporters assembled around Luthuli House some ‘openly brandished stones, bricks, sticks, knobkerries and sjamboks’. At one point ‘[d]ozens of men dressed in ANC colours, and who were carrying bricks, were seen charging towards the DA supporters ... This forced those wearing the blue colours of the DA to retreat, seemingly on the advice of the police’. In another incident a group wearing ANC colours threw bricks at the marchers. Another group also dressed in ANC colours hurled petrol bombs at the police.⁷

- On 21 February 2014 various incidents of intimidation took place in Sharpeville related to events commemorating the 1961 massacre.⁸ Pan Africanist Congress (PAC) and EFF members were reported to have tried to disrupt proceedings and force their way in to the Sharpeville memorial precinct while President Jacob Zuma was laying a wreath at the precinct. According to the PAC and EFF they had been locked out after having booked the precinct in order to hold a commemoration event there. A number of other confrontations of various kinds also took place between members of the ANC and EFF and PAC. A bus carrying DA members into the township was prevented

from entering the area of the memorial precinct, and then pelted with stones, allegedly by a group of people wearing ANC t-shirts.⁹

Looking at reports on these four events there are a number of observations that can be made. The first and most obvious of these is that all four reports point to the involvement of supporters of the ANC and of groups that are aligned with the ANC, in acts of intimidation.

The fourth report, dealing with the Human Rights Day events in Sharpeville is more complex on this point. The reports seems to point to the possibility that other political groups, notably the supporters of the PAC and EFF, may also have been involved in acts of intimidation. This is firstly because it is not clear if PAC and EFF supporters had indeed booked the venue in question, and therefore whether they were justifiably aggrieved at being excluded from it. There is also no information about many of the other confrontations that took place between the PAC and EFF supporters and those of the ANC, and it is therefore unclear if one or other party could reasonably have been labelled as the primary aggressor in these incidents. Nevertheless, even in this report, the allegations by the DA directly allege the involvement of ANC supporters in acts of intimidation.

Notwithstanding the possibility that other political groups may be involved in intimidation, these reports in themselves point to an apparent pattern of involvement in intimidation by supporters and allies of the ANC. Leaders of the ANC are however on record as having condemned intimidation. Most notably following the EFF event in Nkandla in January at which stones were

thrown at Julius Malema, both President Jacob Zuma, and ANC deputy-president Cyril Ramaphosa¹⁰ made widely publicised public statements in which they condemned intimidation. In his speech, Zuma stated *inter alia*, that “[the ANC] fought against no-go areas and will be the first party to defend the right of other parties to campaign wherever they wish”.¹¹ In certain cases other acts of intimidation by members of the ANC have also been condemned by representatives of the ANC. In mid-February the KwaZulu-Natal ANC spokesperson Senzo Mkhize condemned in ‘in the strongest possible terms’ the behaviour of a group of ANC supporters who obstructed National Freedom Party (NFP) members from campaigning in the Ntshongweni area, west of Durban.¹²

But can these statements be taken at face value to mean that the ANC is in fact genuinely opposed to intimidation? Recent research by the Community Agency for Social Enquiry (CASE) suggests that intimidation is far more widespread than is generally acknowledged, that the ANC is the main perpetrator of this intimidation, and that this raises questions about whether or not the ANC is in fact genuinely committed to free and open political activity.

Although high-profile incidents of the kind highlighted above receive considerable media attention, intimidation needs to be recognised as a broader problem which continues to shape and impact on electoral politics in South Africa.

Background to the research

Widespread intimidation was a feature of the build-up to South Africa’s historic first democratic elections in 1994.¹³ But since

then South Africa's elections, including those at national and provincial level, and for local government, are generally regarded as having been characterised by the absence of significant levels of intimidation.

However, during the build-up to the 2009 general election in South Africa there were also a number of incidents of political intimidation. These included the continuation of forms of intimidation linked to the rivalry between the ANC and IFP in KwaZulu-Natal. More widespread than these, though, were a number of incidents generally impacting on meetings or events organised by the Congress of the People (COPE). COPE directly positioned itself within the political tradition that the African National Congress (ANC) embodies, and sought to compete with the ANC for the support of its mass constituency.

As a result of the fact that it attempted to challenge the ANC's dominance over this constituency COPE found itself the target of intimidation from ANC members and supporters in some areas. The implication of the 2009 election therefore could be taken to be that, if there is increased competition by political parties for the votes of poorer South Africans, there is likely to be an increase in intimidation. This research project was therefore initiated in 2013 on the basis of evidence indicating that the 2014 election would indeed involve greater competition by different political parties for the votes of this constituency. This included both the fact that the DA, South Africa's main opposition party, was now positioning itself to compete with the ANC for votes within the black African majority constituency that in the past was assumed to largely be support-

ive of the ANC. In addition, a number of new political groups, such as the EFF, Agang SA and the Workers and Socialist Party (WASP), were also, to a greater or lesser degree, targeting their campaigns at this constituency.

Methodology

The research aimed to establish if intimidation is a problem facing political parties in South Africa, and, if so, to understand more about the nature of intimidation.¹⁵ The research focused on the experience of opposition parties and particularly on opposition parties that appear to be more vigorously challenging the dominance of one or other established party over poorer communities. There was a working assumption that parties that were not destabilising the existing status quo would be unlikely to face intimidation. For this reason it was decided that the research would not focus on existing parties that do not currently enjoy much of a public profile.

The research involved 24 in-depth interviews with representatives of nine political parties: Agang SA, the ANC, COPE, the DA, the EFF, the IFP, the NFP, the UDM and WASP. A representative of the IEC was also interviewed. The ANC is included on the basis that, even though it is the ruling party nationally, and the dominant party in most poorer communities, it is also an opposition party in some poorer communities in South Africa. The parties that were selected included the six major parties in South Africa as measured by the total number of votes gained in the 2011 local government elections. In addition, representatives of three newly established parties, the EFF, Agang SA and WASP, were interviewed. Information from press reports was also used as a supplementary source of in-

formation.

Those who were interviewed included people fulfilling a range of different roles within their parties, including senior party officials based in national and provincial party offices, members of parliament, members of provincial legislatures, and some holding political office or representing their party at local level. Those interviewed were selected partly on the basis

that they would be likely to have an overview of the party's experience of intimidation at national or provincial level, whilst some of them were people who could speak about the party's experience in more discrete geographical districts such as specific regions of KwaZulu-Natal.

Forms of election-related intimidation in current-day South Africa

The research confirms that political intimidation continues to be a feature of electoral contestation in South Africa. However, political coercion has been adapted to the terrain of democratic South Africa, and frequently manifests in the guise of practices that, superficially at least, may appear to be lawful and legitimate and that are difficult to police. There are a range of ways in which intimidation is alleged to take place. These may roughly be differentiated into the following broad categories.

- (i) *Economic coercion - misinformation and threats regarding pensions and grants and the denial of jobs, contracts, services and development opportunities*

In poorer communities in South Africa there is a high degree of dependence on the state. It ap-

pears that this dependence is exploited in various ways, by the ruling party, and perhaps by others, in order to maintain political dominance. Several interviewees asserted that one of the principal ways in which this is done is through misinformation or threats implying that voting for another party will result in people losing old age pensions or grants.

We have been campaigning in Limpopo and mostly old people in that and in other areas where I went, they are telling us that the ANC has been telling them that they are not going to be getting their pension funds if they do not vote for the ANC, if they associate with other political parties. (WASP, National)¹⁶

The research indicates that this kind of message is a frequent refrain of campaigning by the ruling party in many parts of the country. Interviewees also indicated that politicians using these kinds of tactics were also exploiting the fact that people in poorer communities were often relatively less well informed about how government operates and therefore more susceptible to believing this kind of message.

Misinformation of the kind just described tends to be conveyed by politicians who are campaigning for electoral support. However, the economic vulnerability of people in poorer communities is used to discourage them from openly associating with rival political parties on an ongoing basis as well. Numerous interviewees asserted that in many areas opposition party supporters were denied employment opportunities in municipalities, in public works programmes, and other projects. As one interviewee put it

Remember most of our people rely on government for these Extended Public Works jobs, project jobs. If there's a construction project, road construction or road surfacing projects, it's the councillors of those particular wards that are given the responsibility to choose whom to employ and whom not to employ. ... So the councillor will only look at those people that are loyal to the ANC for employment. (COPE, Eastern Cape)

This kind of practice is allegedly not restricted to public works or other job opportunities. Interviewees also asserted that in some communities that are supplied with water by water tankers, the water tanker would not stop at the houses of people who are known to be opposition party supporters. An ANC interviewee also indicated that there had been problems of this kind in one of the municipalities in KwaZulu-Natal that was controlled by the NFP.

There were also other variations on this theme, including that in some communities opposition party supporters are treated unfavourably in relation to the provision of housing, and that communities that had supported an opposition party would be denied development opportunities by the municipality.

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(ii) Disruption, and the intimidation of participants, at meetings and other events involving rival political parties

A second major form of intimidation that often impacts on political parties is the disruption of, and the intimidation of participants in, meetings and other political party events. The four cases that are referred to in the introduction to this paper are an illustration of some of the typical practices associated with intimidation of this kind.

Sometimes intimidation of this kind involves denying opposition groups access to meeting facilities. This may involve a group of people gathering in front of the meeting facility to prevent their political rivals from access to it. However, it may simply involve opposition party members who have booked a venue being told that the keys are missing or that there has been a mistake of double booking when they arrive to use the venue. There is therefore not necessarily any overt violence or other intimidation when this occurs. However, the practice can still be seen as coercive in nature, as the dominant political role-players in that area use their ability to influence those responsible for management of

these facilities in order to deprive political rivals of the use of these facilities.

However, the disruption of opposition meetings often involves more overtly confrontational conduct. Interviewees indicated that ANC members will frequently gather next to a meeting of a rival party in order to disrupt it. This may involve making as much noise as possible by singing loudly or playing a music system. Sometimes there is also more overtly threatening behaviour, including verbal threats, threatening gestures, or mock charges. In some cases ANC members have been known to invade the meeting of a rival group.

These kinds of incidents typically build up into a heavily confrontational atmosphere, and it is not unusual for there to be violence. The members of the political party whose event is being disrupted may respond in a threatening way to the disruptive or threatening behaviour of their rivals. In some cases, particularly where the attempts at disruption result in the rival party members coming into close proximity, or a meeting is invaded, violence ensues, though this typically involves 'pushing and shoving' and possibly the exchange of blows. As indicated, however, in some cases stones or other objects are thrown in confrontations of this kind and individuals may suffer injuries.

However, interviewees indicated that, unless there is actual violence, the police often appear to view this kind of disruptive behaviour as entirely legal, and as itself constituting an exercise of the right to freedom of assembly and protest. This notwithstanding the fact that the Electoral Act provides that it is an offence to 'unlawfully prevent the holding of any political meeting, march,

demonstration or other political event'¹⁷ and that the electoral Code of Conduct provides that everyone has the right to hold public meetings. An incident of this kind was described by an Agang SA interviewee as follows:

[The police] came, they talked to us and said what's going on and we showed them the paperwork [authorising the meeting]. They went to the ANC councillors of whom they are afraid because they know they are powerful in these areas, and they came back to us and said 'these people are just singing and dancing', and then they left. (Agang SA, National)

(iii) Fatal violence and intimidation directed against the individual

The report identifies twelve apparent political killings (in 11 incidents) in the period from January 2013 until the end of February 2014 (14 months). Apart from one killing in Limpopo in October 2013 that may have been politically motivated, all the killings identified were in KwaZulu-Natal. The Ulundi municipal area and the KwaMashu hostel area account for seven of the ten identified incidents (involving 11 fatalities) that may be related to inter- or intra-party political contestation within KwaZulu-Natal.

Fatal violence therefore continues to be a feature of contestation between (and potentially within) political parties in South Africa. However, focusing on fatal violence as a means of understanding the problem of intimidation is potentially misleading. Intimidation has a much broader geographic distribution and needs to be understood in relation to a diverse range of practices. The profile

of the political parties associated with fatal violence is also completely different from the profile of the victims and perpetrators of intimidation more generally.

In addition to the fatal incidents themselves, there are also other incidents where people are threatened with death or severe injury, as well as cases of arson, including the burning of people's homes. These, and the other forms of intimidation discussed in this paper, occur more widely in South Africa. There are likely to be many situations where individuals who are on their own or with one or two companions are threatened with physical harm for associating with an opposition party. Many of these incidents are probably not even brought to the attention of political party officials and are unlikely to be reported to, or recorded, by police. They are therefore likely to remain a dimension of the problem of intimidation that is largely undocumented.

(iv) Attempts to disrupt the registration and electoral process

Though the phenomenon is not examined in depth, it is important to note that there appears to be an emerging phenomenon of what may be seen as forms of intimidation directed against the registration and electoral process itself rather than against specific political parties. It appears that the phenomenon may tend to be manifest in communities where there have been protests related to dissatisfaction with service delivery or other problems. During both of the IEC's voter registration weekends, in November 2013 and February 2014, attempts were made to disrupt the registration process in Bekkersdal in Gauteng.¹⁹ In an informal settlement called Nk-

anini, near Stellenbosch, protestors from the community forced the IEC to close the voter registration station temporarily during the February 2014 voter registration weekend. The leader of the residents committee stated that community members intended to sit in front of the gate of the local voting station on election day and that no-one would be allowed to enter.¹⁹

Other ways in which voters and the electoral process are manipulated

During the process of research it emerged that competition for votes involves not only 'intimidation' (which can be seen as being characterised by coercion and fear) but also other forms of manipulation of voters and the electoral process. The main forms that are identified in the report are:

- Fraudulent voter registration; and
- Vote buying - the alleged targeted use of government resources to promote a political party immediately prior to elections.

Fraudulent voter registration may be a problem that is primarily confined to by-elections.

Who is responsible for intimidation?

The research overwhelmingly pointed to the ANC as the primary source of intimidation in South Africa. Of the eight political parties, other than the ANC, that were interviewed, six of them (the DA, EFF, Agang, the IFP, NFP and WASP) reported that they were currently the target of intimidation by the ANC. COPE interviewees indicated that the party no longer faces a significant problem of intimidation, but that

this appeared to be related to the fact that the party was no longer seen to pose a challenge to the ANC. Similarly, it was not clear from the UDM interview that its members currently face problems of intimidation.

The IFP was the main other party that was identified by interviewees, from the ANC and NFP, as engaged in intimidation, although this appeared to be localised to a relatively small number of municipal areas. The research was conducted during the period when the EFF was in the process of being formed. Although the information presented is not necessarily clear, some subsequent press reports have suggested that in some cases EFF members may also have engaged in forms of intimidation such as the disruption of ANC meetings.²⁰

One ANC interviewee also accused the DA in the Western Cape of deliberately creating a chaotic atmosphere at polling stations in areas where the ANC is strong in order to discourage voting in these areas. A DA interviewee also raised concern about the impact of these 'shows of force' by political parties on potential voters in the Western Cape.

Intimidation is generally believed to be carried out by local political party supporters under the direction or influence of local leaders. Threats to the dominance of a political party over a specific area during the build-up to national and provincial elections also have implications for the ability of local political elites, associated with that party, to maintain their political dominance in that area. Some of the practices that are identified, such as alleged vote buying, are practices that also allegedly involve role players in party hierarchies at provincial and national level.

Who is subject to intimidation?

The research focused on the experience of opposition parties and particularly on opposition parties that appear to be more vigorously challenging the dominance of one or other established party over poorer communities. As indicated, there was a working assumption that parties that were not destabilising the existing status quo would be unlikely to face intimidation. This assumption was generally confirmed by the research. Established parties that are not, in a vigorous way, seeking to increase their 'footprint' within poorer communities did not indicate that they were experiencing intimidation. As indicated, although it appears that both parties have faced intimidation in the past, the research did not confirm that either the UDM or COPE are currently facing a problem of intimidation.

Some interviewees suggested that members of a party that has recently broken away from a 'parent' party are especially likely to face intimidation. Both COPE and the NFP are breakaway parties (from the ANC and IFP) respectively, while the UDM and EFF were both formed by leaders who were expelled from the ANC. Parties that are breakaways or are formed by former members of a party are highly likely to focus on the same constituency as the 'parent' party. However, it seems that it is not necessarily more likely that such a party will become the focus of intimidation than any other party that poses a substantial challenge to the dominance of the 'parent' party over its established constituency.

How prevalent is intimidation?

For methodological reasons this research project was qualitative in nature and it therefore does not

provide a means for quantifying the extent of the phenomenon nor its impact. Furthermore, as indicated, the report suggests that intimidation is carried out through a diversity of practices, and quantifying its full extent would therefore require that one take all of its manifestations into account.

While the research was not quantitative in nature, interviewees were nevertheless asked to comment on the extent of the phenomenon, and different interviewees gave different responses to this question. Focusing on the problem of the disruption of DA meetings and activities, a DA party official who had been involved in a large number of by-elections indicated that the phenomenon was confined to 'pockets' of the country.

However, DA interviewees from the Eastern Cape and Mpumalanga had a different view on this question. In their experience, they said, intimidation was widespread. What tended to determine whether it openly manifested itself or not was whether the DA, or other political party, was seen by local ANC leaders as presenting a real challenge to the ANC in the area in question. Once the DA started to have an impact, and began to look like it could threaten ANC dominance in that area, there would be a high likelihood that acts of intimidation would occur. Speaking ten days after the launch of the EFF on 13 October 2013, the EFF interviewee also indicated that in the build-up to the launch the EFF, the party had faced a high level of intimidation, saying that it had experienced attempts at disruption 'In all our meetings ... everywhere we've been'.

SAPS and IEC responses to intimidation?

Though respondents gave different interpretations as to the reasons for this, problems were consistently identified with police responses to intimidation. This included their responses to acts of intimidation that were in progress and the investigation of criminal cases emerging from acts of alleged intimidation. Some respondents argued that ineffectual police responses reflected partisanship on the part of the police, while others suggested that the police often did not understand the relevant legislation or lacked the confidence to intervene.

Many of the respondents also raised concerns about the IEC, including the IEC's mechanisms for responding to allegations of intimidation and to alleged or potential partisanship by officials representing the IEC at polling stations. Speaking about the IEC's party liaison committees, the IEC's primary mechanism for addressing intimidation, one interviewee for instance observed that

It depends on the area and it depends largely on our reporting lines. If our reporting lines are there, they make us aware of the local problem, then it is resolved, then it can be resolved. But then that also depends on the other party that is involved in the intimidation and their ability to address the local issue. (COPE, National)

Impact of intimidation

The report concludes that intimidation and manipulation of the electoral process remain systemic features of political life in South Africa in that there are a number of characteristic forms

of intimidation and manipulation that manifest in a wide range of different localities. Although it is not possible to quantify the levels of intimidation, there was a high level of consistency between the forms of intimidation reported by different respondents from a variety of different parties. Intimidation remains likely in many areas where ANC members perceive a rival party as threatening their dominance.

It is therefore reasonable to believe that intimidation continues to have an impact on the degree to which people in South Africa, most notably in poorer communities, feel free to openly support, or even engage with, political parties that are not dominant in the areas in which they live. Even though acts such as the disruption of opposition meetings or canvassing activities occur as relatively discrete events, the nature of intimidation is that it has an enduring effect. People who witness or hear about these incidents frequently internalise the message that there may be adverse consequences for them if they show any sign of disloyalty to the dominant party. The likely impact of 'economic intimidation' should also not be underestimated, as there are a large number of people in South Africa who are poor and likely to be wary of jeopardising their access to whatever support they receive, or may receive, from the state.

As a result, the 'political ground' on which political parties are competing is ground that is shaped by, and shows the continuing influence of, political intimidation. Even if there is a decline in overt acts of intimidation as the election approaches, systemic intimidation has already established a climate of fear and anxiety in many areas and will continue to impact on the degree

to which people feel that they are free to choose which party they wish to support.

Nevertheless there are also positive findings. One of these is that, notwithstanding the continuation of political killings in KwaZulu-Natal, intimidation generally may be characterised by a greater inhibition in South Africa against fatal violence. The members of a rival political party may be subjected to threats, but if they nevertheless persist in their political activities, those who are involved in intimidation may reluctantly accept their presence as a reality. Related to this there seemed to be some level of willingness by members and supporters of opposition parties to defy and challenge intimidation and continue with political activities.

Addressing intimidation

The main recommendation of the CASE report is that the ANC should recognise the problem of intimidation and take more purposeful steps to address the involvement by its members and supporters in acts of intimidation. This is therefore a recommendation that the ANC police its own behaviour. The viability of this recommendation is premised on the understanding that there remains a constituency within the ANC a principled commitment to democracy, and that this constituency has enough influence to prevail over those who are invested in the use of intimidation within the ANC.

Whether or not it is reasonable to have the expectation that this constituency continues to be able to shape the direction of the ANC is open to question. Recently the voices of reason within the ANC relating to the Nkandla scandal have seemed often to be lone voices 'crying in the wilderness' who are disregarded by the main

power brokers within the organisation. Although, as indicated, ANC leaders are on record as having condemned intimidation, it is not clear if this is done mainly for media consumption or whether it reflects genuine concern.

The report also makes a number of other recommendations, including that other parties should also recommit themselves to political practice that is consistent with free political activity.

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KWAZULU-NATAL

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Electoral Law, IEC Procedures and the Electoral Code of Conduct

The South African Constitution guarantees citizens the right to vote in regular elections under a multi-party system of democratic government.²² The Electoral Act gives substance to this right by providing for (among other things) a national voters' roll, the registration process, the holding of elections, political party contestation, voting districts, voting stations, ballot counting and election monitoring.²³ Schedule 2 of the Electoral Act comprises the Electoral Code of Conduct promoting free and fair elections. The Code of Conduct upholds 'tolerance of democratic political activity', 'free political campaigning' and 'open public debate'.²⁴

The KwaZulu-Natal Department of Community Safety and Liaison has issued a statement supporting the Electoral Code of Conduct in the run up to the May 2014 election. The statement condemns political violence; encourages tolerance of all participating parties, their members and supporters;²⁵ supports free campaigning; denounces removing or destroying parties' campaign materials or disrupting meetings; and prohibits intimidation or coercion of members and support-

ers. This statement echoes the official signing of the Electoral Code of Conduct by participating political parties in KwaZulu-Natal on 3 March at the Durban International Convention Centre. The pledge was signed by the African National Congress (ANC), Inkatha Freedom Party (IFP), Democratic Alliance (DA), National Freedom Party (NFP), African Christian Democratic Party (ACDP), Economic Freedom Front (EFF), Minority Front (MF), All Progressives Congress (APC), Black Peoples Convention (BPC), Congress of the People (Cope), Azanian Peoples Organisation (Azapo), and AgangSA.²⁶

At the signing, the Independent Electoral Commission (IEC) provincial commissioner Bongani Finca called on the Electoral Court to impose harsh measures on violators of the Code of Conduct including disqualification and vote reduction as provided for in national electoral law. Provincial electoral manager Ntombifuthi Masinga has further encouraged anyone who feels that his/her electoral rights have been violated to go to the police and open a case. South African Police Service (SAPS) representatives advised that there would be additional security deployments in areas where tensions are reported. The Electoral Code of Conduct binds participating political parties:

1. To lead their parties in a manner that will reinforce a

culture of tolerance towards all other parties contesting the election;

2. To effectively counsel and advise all candidates on their party lists so that each candidate will in turn propagate a message of maximum tolerance;
3. To publicly promote the eradication of no-go areas for political campaigns by political parties;
4. To desist from using speech or from participating in actions which will have the effect of provoking either parties' supporters or members of the general public to commit acts of intolerance or take other inflammatory actions;
5. To work together to achieve the objects and goals of the Code of Conduct.²⁷

The provincial signing of the Electoral Code of Conduct occurs in the midst of recent political tension in KwaMashu where two ANC members were gunned down and an IFP supporter shot, allegedly by police, as well as the torching of two NFP members' cars in Mzumbo.²⁸

Political Violence and Intolerance

Election-related violence is a significant feature in KwaZulu-Natal even though it has not posed a serious threat to free and fair elections over the last four democratic elections. This violence takes various forms. The

1994 election, for example, was plagued by 'no-go' areas,²⁹ while the 1999 election witnessed continuing friction between ANC and IFP members and supporters.³⁰ During the 2004 election, election violence in the province took the form of disrupted rallies, prevention of free electioneering in areas and various incidents of intimidation and attacks on party members and supporters. These disruptions were, once again, attributed mainly to ANC/IFP confrontations over election-related events.³¹ The ANC, for example, alleged that IFP supporters blocked access to areas, tore down ANC posters and assaulted ANC supporters. The IFP in turn blamed ANC supporters for setting up road blocks, stoning cars and attacking an IFP councillor.³² Similarly, during the 2009 election, the KwaZulu-Natal Independent Violence Monitor reported various incidents of violence. These, again, included ANC/IFP friction in the form of rally disruptions, campaign poster vandalism, stoning, intimidation and threats to party supporters as well as the creation of 'no-go' areas. Political rallies in Nongoma in the run-up to the election turned violent, resulting in three people being shot.³³ There was also friction, however, between ANC and COPE supporters, with COPE alleging that the ANC had disrupted its political gatherings in Inanda, Verulam and Howick.³⁴ The run-up to the May 2014 election shows continuing signs of election-related violence. This is evident firstly in the context of political 'assassinations' in the province and secondly in the recent local level by-elections.

It has been argued that political assassinations in KwaZulu-Natal 'seem to be an unbroken tradition from the 1990s'.³⁵ Assassination targets shifted from ANC/IFP antagonism to various breakaway

party politics such as the NFP. In 2011, for example, ANC official Sbu Sibiya, ANC councillor Wiseman Mshibe and NFP representative Gundu Makhanya were killed in incidents resembling apartheid tactics of being gunned down or homes being torched.³⁶ The high level of politically motivated violence led to a Durban-based NGO, the Democracy Development Programme, launching an open forum on 'Political Killings in KZN' in November 2012. At the forum Mary de Haas of the KwaZulu-Natal Violence Monitor stated that since October 2012 there had been 41 deaths stemming from political killings and that 60 per cent of the victims were NFP supporters.³⁷ A 2013 ANC report claimed that 38 of its members had been killed in KwaZulu-Natal since the beginning of 2011.³⁸

Recent municipal by-elections in KwaZulu-Natal have been described as a yardstick for parties' May 2014 election hopes, but also reflect existing political tensions that have the potential to manifest as election violence. By-elections took place in five wards amidst police deployment around the province. The ANC won three of the wards: Dududu (81%), Estcourt (54%) and Vryheid (67%). The IFP and NFP won one ward each – KwaMashu (58%) and Nongoma (62%) respectively.³⁹ The KwaMashu ward was one of the most closely watched in the by-election given the recent political tension amongst IFP, ANC and NFP supporters, which resulted in the death of five people. The site of most of the tension, the KwaMashu hostel, saw a significant presence of police management teams, including the National Intervention Unit from the Eastern Cape and the Western Cape. The NFP leader has argued that the by-election couldn't be free and fair given the level of

political intolerance in the ward. She cited the consistent defacing of NFP campaign materials.⁴⁰ IFP supporters, on the other hand, have complained that the police break down doors and smash windows during raids and shoot at IFP supporters.⁴¹

END NOTES

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GAUTENG

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Mechanisms for conflict management and their effectiveness

The provisions found in Schedule of the Electoral Commission Act 51 of 1996 urge the Independent Electoral Commission (IEC) to establish multi-party liaison committees on which, from the date of the promulgation of the election until the date of that election, parties are allowed to have representatives. The functions of the liaison committees are found in the Act and they are meant to serve as a consultative platform between the IEC and the registered parties competing in a particular election. The consultation between the Commission (facilitator and administrator of the elections) and the parties (participants as contestants) is meant to promote credible, free and fair elections.

The multi-party liaison committees in Gauteng have reported no

conflict regarding the 2014 election thus far. The IEC, however, has taken the decision to be more proactive with regard to conflict-management mechanisms. To this end, the Commission has been allocated a larger budget to conflict-management mechanisms and has appointed 11 panellists in the province to look at areas where election-related conflict may arise.

Political Violence and Intolerance

There are several incidents in Gauteng that indicate that this electoral period is not void of intimidation, election-related violence and instances of political intolerance. There are legal safeguards that serve to mitigate the obstructive impact of such exchanges, but the prevalence of such events reflects the precariousness of our largely untested multi-party electoral system.

The president's announcement of the election date is the signal for the commencement of the election period. Since that date, there have been numerous interactions between party members and supporters in election campaign-re-

lated activities in the province. A day before the State of the Nation address, 12 February 2014, the Democratic Alliance (DA) organised a march to Luthuli house (ANC headquarters) for "real jobs". This act was condemned by the ANC on the grounds that the DA should not have marched to their headquarters but rather to the Union Buildings. This sentiment was echoed by other party leaders. Bantu Holomisa, leader of the United Democratic Movement (UDM), said it created a "bad precedent"⁴² to march to another party and not to the seat of the government. Reports show that, at the march, rocks and bricks were flung, weapons brandished and the police eventually had to disperse the crowd with the use of rubber bullets and stun-grenades.

There are two noteworthy issues about this incident. The first is the contention that the DA ought to have marched against the government, not the ANC headquarters. This misses the point, since the DA's march for jobs was specifically targeted at the ANC's campaign promise of "creating 6 million job opportunities". While one political party match-

ing to another's headquarters is unprecedented, there is nothing in a free and democratic society that ought to render this untoward or impermissible. Whatever the strategic blunder or merits of the DA's march on the ANC, the response of the ANC and its supporters demonstrated perhaps both a streak of intolerance bordering on violent reaction, but also a reactionary attitude that did not seek to counter the argument, or the policy agenda of the DA, but instead was an over-reaction which gave the DA's march and messaging a prominence, albeit for a short period, that it may not have received had the ANC simply allowed the DA's march to proceed. The ANC's approach, however, apart from the demonstrated intolerance, served eventually to distract myopic media

and public attention away from the issue of jobs and job-creation policy and strategy to one of public debate about the march itself, and about political intolerance and political violence.

Perhaps the most significant region in Gauteng that defines the context and climate of the elections is Bekkersdal. The area has had a recent history of being in the spotlight for protest. On the 13 March 2014, ANC members doing door-to-door campaigning in the area were pelted with stones after residents alleged that ANC "bodyguards" fired shots at residents. Two charges were laid with the police by the DA in conjunction with the Bekkersdal Concerned Residents Association. One was under Section 9 (2) (b) of the Electoral Code of

Conduct, which prohibits the carrying of firearms at political events, and the other was directed at Nelson Mdayi in terms of Section 84 of the Fire Arms Control Act. Nelson Mdayi is the man who was photographed holding a firearm behind his back during the incident.

It has emerged that Mdayi is a local ANC leader who used to be employed by the Westonaria municipality. ANC Gauteng spokesperson Nkenke Kekana said "His action has undermined the ANC's integrity and its public image. The ANC does not approve of the use of weapons during election campaign activities from its members or from any political party, as this can only serve to intimidate or escalate tensions unnecessarily."⁴³



Picture: Alaister Russell⁴⁴

Bekkersdal has become a flash-point in this year's election period and the story has illuminated issues around violence, intimidation and tolerance in the context of party-citizen exchanges generally, and with respect to the election period in particular. Media reports reveal that Bekkersdal residents have rendered the region a "no-go" area for the ANC. The ANC has had a tenuous relationship with Bekkersdal in the past several months over protests that have occurred in the area. Following the vandalising of state property during a protest in October 2013, the Gauteng premier, Nomvula Mokonyane, addressed a crowd of protestors and was quoted as saying "People can threaten us and say they won't vote, but the ANC doesn't need their dirty votes".⁴⁵ Obviously, such provocative and insulting statements made to residents of a region who were already angry about their treatment by authorities and the lack of sanitary service provision in the area would cause a similarly provocative reaction. The story sparks an interesting dichotomy between legitimate citizen anger and their expression of this through declaring it a "no-go" area for a specific party, which contravenes the freedom of movement, association, organisation and expression for that party and its members. Simultaneously, the DA has attempted to take advantage of the opening that the general detestation of the ANC in the township might have afforded by opting to join the Bekkersdal Residents Association to lay charges. It remains to be seen whether the DA will benefit politically by gaining more votes in this area because of this action or whether it will be useful in yielding the benefit of protecting the democratic space for violent-free campaigning.

More recently, in Zola, Soweto

on 12 April 2014, ANC and DA supporters had heated exchanges during a DA march organised in protest at the South African Broadcasting Commission (SABC) not airing a DA advertisement. DA supporters were seen throwing plastic water bottles at ANC supporters who lined the streets as the march proceeded to pass through the township. A marching DA supporter told ANC members: "Sizonishayela i-corruption (We'll hit you for corruption). A woman wearing ANC regalia shouted "Do they see us going to the suburbs? We don't go there. This is our Zola."⁴⁶

While the above exchange seems more placid than other interactions in the past, the exclamations by the supporters reflect some interesting things about the electorate and party identity – DA supporters using their anger at corruption as motivation to engage in "corrective violence" and ANC supporters perhaps appealing to the claim that the DA is a middle-class party that has no place in the townships.

DA supporters are not the only party supporters to have had tense, conflict-precipitating exchanges with the ANC. In the period following the death of Nelson Mandela, EFF members visiting the home of Winnie Madikizela Mandela clashed with ANC Youth League Members in Vilakazi Street in Soweto: "You are not wanted here. Go," one of the ANCYL members announced over the truck's sound system.⁴⁷ The two groups had heated verbal exchanges but no violence ensued.

In the early hours of 5 April, before a scheduled EFF rally in Thokhoza, the marquee that was going to be used in the event was petrol-bombed. The EFF spokesman claimed that the po-

lice and the EFF were tipped off that this would happen and it would be orchestrated by ANC members. ANC spokesman Jackson Mthembu has dismissed the claims.

Overall, incidences of intimidation and violence have generally been between the larger, more visible parties in this election in the province, namely the ANC, DA and EFF. Intolerance and violence has seemed to be limited to the townships and has not extended to affluent suburban areas. While there have been numerous clashes and incidents, in campaigning and during political events, the clashes between parties in Gauteng has not been especially violent or widespread. Generally, voters are therefore not likely to stay away from the polls based on fear of intimidation, but may for other reasons.

Electoral Code of Conduct

Below is a table of Parties who have signed the Code of Conduct in Gauteng

Party Name	Acronym
Vryheidsfront Plus	VF Plus
Workers and Socialist Party	WASP
African Christian Democratic Party	ACDP
African National Congress	ANC
African People's Convention	APC
Agang South Africa	AGANG SA
Azanian People's Organisation	AZAPO
Congress of the People	COPE
Democratic Alliance	DA
Economic Freedom Fighters	EFF
Front Nasionaal/Front National	FN
Independent Civic Organisation of South Africa	ICOSA
Inkatha Freedom Party	IFP
Kingdom Governance Movement	KGM
LEKGOTLA for Democracy Advancement	LEKGOTLA
Merafong Civic Organisation	MECA
Minority Front	MF
National Freedom Party	NFP
Pan Africanist Congress of Azania	PAC
Patriotic Alliance	PA
United Christian Democratic Party	UCDP
United Democratic Movement	UDM

The issue around the DA sending the SMS that said that President Zuma had stolen taxpayers' money in the construction of his private home at Nkandla, the application by the ANC to get the SMS stopped and retracted and the subsequent dismissal by the North Gauteng High Court, has a number of interesting implications for the broader climate of free expression in the context of election campaigning. ANC spokesman Jackson Mthembu was asked to comment on the High Court ruling that dismissed the ANC's application to force the DA to retract the text message it sent out. The ANC claims that the ruling of the High Court "opens the floodgates",⁴⁸ where parties are able to say anything about each other, even if false,

which would go against the Code of Conduct.

On the application, the ANC relied on section 89(2) (c) of the Electoral Act, which prohibits any person from publishing any false information with the intention of influencing the conduct or outcome of an election, and on item 9(1) (ii) (b) of the Electoral Code, which prohibits any registered party or candidate from publishing false or defamatory allegations in connection with an election in respect of a candidate or that candidate's representatives. The Court interpreted these sections of electoral law broadly, which meant that the DA would not be compelled to prove that their SMS was true but merely that it was fair comment.

If the Court's interpretation was narrowly focused, it would have meant that it would be illegal to make accusations against members of other parties unless the remark could readily be proven to be truthful. Legal precedents of this kind would serve to begin to eradicate a major component of parties' election strategies, which is concerned with appealing to citizens not to vote for other parties. If parties are limited to campaign using only appeals concerning how citizens should vote for their party and prohibited from appealing to citizens regarding how they should not vote for other parties because of things their members have done, that would drastically alter the electoral environment.

The ANC has been granted leave to appeal the High Court decision. At issue now will be whether the DA SMS referring to the president stealing, is a fair comment or statement of fact. If the ANC can prove that the DA's SMS was not simply a comment that a reasonable person could make based on the report by the Public Protector, but actually, a statement of fact, the court may rule in its favour.

On 11 April the SABC pulled a DA advertisement off the air. The advert shows the DA Gauteng premier candidate talking in the mirror about the way that the ANC has changed. He goes on to talk about various things, including the upgrades to Zuma's private home and police brutality.

A letter sent to the DA on behalf of the SABC by acting group CEO Tian Olivier cites three areas where the broadcaster has grounds to pull the advert. The first is the image of police shooting protesters, and Maimane saying that the police are killing "our people" could incite violence. "The Icasa regulation on political advertising states clearly that there may not be incitement to violence".⁴⁹ "It is our view that the reference in your television advertisement to 'police killing our people' is cause for incitement against the police," wrote Olivier in the letter. The difficulty with this assertion by the SABC is proving how a generally understood claim that police brutality against citizens has increased of late amounts to incitement of violence against the police.

The second area relates to the advertising standards authority ASA regulations being contravened, because an advert cannot openly compare one brand with another, in this case, the ANC and the DA. This kind of political advertising

is not under the jurisdiction of the ASA, because political parties do not fall under the same regulatory framework as other television and radio adverts.

The third area relates to the Electoral Code of Conduct. The SABC follow the same argument presented by the ANC in their application to get the Nkandla SMS retracted, which is that the advert is in breach of the Electoral Code of Conduct, section 9, which prohibits one party saying false things about another party. This breach of the Code of Conduct occurs in the advert, according to the SABC, when Maimane refers to the upgrades at Nkandla. This is found in Olivier's letter where it states, "We believe this can also be extended to information that has not yet been tested and confirmed in a court of law, such as the allegations in your advertisement regarding the Nkandla matter".⁵⁰

This particular allegation based on the Code of Conduct is not as strong as the ANC's argument in the other matter explained above, because the advert, unlike the SMS, does not say that Zuma stole any money but rather that R240 million was spent on upgrades to the president's home. This statement is not in question, given the Public Protector's report or any other publicly verifiable report.

On 11 April the DA applied to Independent Communications Authority South Africa (ICASA) to hear the matter and the regulator has opted to commence public hearings on the 15 April 2014.

END NOTES

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NORTH WEST

Dr Ina Gouws – North West University (Vaal Triangle Campus)

Mechanisms for conflict management

Any election law is in itself a mechanism for conflict management. The overall purpose of election legislation is that all people have an equal chance to participate in the political process. It provides structure to the electoral process and ensures that the process is fair to all. The Electoral Act 73 of 1998 provides rules for the elections, room for objections for perceived disobeying of the rules as well as mechanisms to address these objections in order to prevent conflict.

The Independent Electoral Commission (IEC) and its officers are empowered to resolve objections, appeals and code of conduct disputes through conciliation. Election petitions are heard by the courts with the Electoral Court acting as final court of appeal. Parties must submit complaints within 48 hours of the announcement of results.⁵¹

The Act provides opportunities for objections during the electoral process. Only a few objections with provisions on how to act on these objections are set out in the following table as examples. Failure by IEC officials to act appropriately on these objections may lead to conflict.⁵²

The IEC developed a comprehensive Conflict Management Programme (CMP). This programme is based on a model that emphasises the use of conflict mediation panels and Party Liaison Committees (PLCs) to resolve issues before they get into the courts. According to the IEC, the CMP is

conducted through intervention by provincial panellists who are experienced mediators recruited from the community and NGO sector, and who have been trained in electoral legislation. The Commission appointed the Electoral Institute of Southern Africa (EISA) to assist in the training of

local and provincial Commission staff and panellists. The Commission, through the CMP, also assumed a proactive role in the prevention of conflict. The CMP worked closely with the PLCs in strengthening mechanisms to resolve election-related conflict.⁵³

The result of the CMP in and particularly PLCs in South Africa is broadening the scope for dialogue between political parties and the IEC.

When disputes or objections occur, Party Liaison Committees (PLCs) are at the centre of addressing disputes. Instituted by the Regulations on Party Liaison Committees published in Government Gazette 18978 of 19 June 1998, PLCs are made up of registered political parties at the national, provincial and municipal level. Regulations state that only political parties represented in the legislature may have (no more than two) representatives on a PLC. The North West Legislature has 33 seats. The following parties make up these seats:

	ANC	DA	COPE	UCDP	TOTAL
North West Provincial Legislature	25	3	3	2	33

Table 2. Source: IEC <http://www.elections.org.za/content/Dynamic.aspx?id=1344&name=Elections&LeftMenuId=100&BreadcrumbId=220>

Therefore the North West Province PLC is represented by the ANC, DA, COPE and UCDP. The PLC must hold meetings to allow for consultation and cooperation between the IEC and all registered parties on all electoral matters. PLCs are consulted about boundaries of voting districts, location of voting stations and any matter that may concern

any political party in the run-up to and during elections. Access to documents and information about meetings are available on the IEC website to members only. Another effort made by the IEC will hopefully have a positive result for election processes in the North West Province. The IEC has, as with previous elections, held talks with farmer unions to

ensure that farm workers are allowed to register and vote. The IEC has requested reasonable access to farms for voter registration and voter education.⁵⁴ This agreement speaks to not only conflict management, but certainly also to political tolerance and the code of conduct.

A few matters were raised al-

ready at the PLC in North West regarding disputes between parties. This brings us to the issue of political tolerance and intimidation.

Political Violence and Intolerance

Political tolerance means accepting and respecting the basic rights and civil liberties of persons whose viewpoint differs from one's own. All citizens, including political leaders, have a responsibility to practise political tolerance.

Democracy implies respect for the plurality of views and virtues of dialogue as a means of resolving conflict. As such political intolerance manifests itself when political leaders refuse to give space to opposition parties to contest elections fairly. The North West Province has experienced political intolerance not just from political parties to each other, but within the governing party itself, as explained in Issue 1 of the North West Update. In this province, the intolerance and intimidation manifested between ANC and DA in the Tlokwe by-elections of 2013, but also between ANC and EFF. The EFF has accused the ANC of disrupting EFF rallies and community meetings, and of using local authorities to prevent the EFF from using public venues and facilities for campaigning and holding meetings.

The IEC in North West has voiced its concern about possible disruptions and intimidation of voters in certain places running up to and during the May 7 elections. The North West has experienced not only community protests, some of which turned violent, but also labour protests and strikes that have at times turned violent. The IEC provincial commission-

er said that they have spoken to political parties urgently to make sure that they guarantee their supporters will be able to attend party rallies and meetings freely and vote without fear on election day.⁵⁵ Being tolerant does not mean that political parties won't push the boundaries of electioneering, however. During election campaigns political parties watch each other very carefully and very quickly pounce on statements or conduct they believe to be wrong.

One such incident relates to the accusation by the DA that the convoy of deputy president of the ANC, Cyril Ramaphosa, knocked down a cyclist in Wedela and then drove off. The ANC classified this allegation as reckless and irresponsible and vowed to raise the matter in the PLC meeting 'for proper censure for the DA for its recklessness'.⁵⁶

Political intimidation and intolerance does not manifest only in terms of physical threat. Voters rely on processes and regulations to be in place to deal with such incidents. When the organisations responsible for enforcing regulations (such as the IEC) are perceived to no longer be above reproach, the credibility of the election itself is called into question.

The controversial Tlokwe by-elections also sparked some back-and-forth allegations between the ANC and the DA. The ANC handed out blankets and food parcels before the election dates, and the DA accused the ANC of vote-buying. The ANC said this was merely part of a social development programme launched by the provincial authority. The problem with Tlokwe is that this saga has put the reputation of the IEC in jeopardy in the North West. In September

2013 the Electoral Court for a second time found the IEC processes wanting. The court ruled in favour of six independent candidates who were prevented from registering as candidates in their respective wards. Court papers presented in the Electoral Court in January 2014 revealed that as many as 2500 questionable registered voters may have participated in the by-elections in the nine wards of the highly contested municipality. The IEC claimed the allegations were false.

The platinum mine strikes have also made intimidation and political intolerance take hold in certain areas. The strike is largely led by AMCU, which has no loyalty to the ANC, as supposed to NUM, which is said to still support the tripartite alliance. The Wonderkop township near Marikana has become a political focus for intolerance. There are no ANC posters and because of violent clashes between AMCU and NUM members, this township has become a no-go area for the ANC, which is against electoral conduct regulations. Residents of these villages and townships are said to have pledged support for EFF and Bantu Holomisa's UDM. The IEC is nervous about these areas,⁵⁷ since this may serve as a deterrent to voters who may not vote not just because of apathy or disillusionment with the political system, but also out of fear of intimidation or reprisals for openly expressing a political expression. This has had an effect on open political expression.

While political parties may sign a code of conduct before an election, labour unions do not, even though they serve as mobilisation vehicles for political parties. Consequently, while parties may abide by the code of conduct, labour unions as organised formations may act as proxies of

parties, in ways that infringe the code of conduct. The question is whether power-hungry and

vulnerable political parties will make every effort to ensure that their supporters refrain from vi-

olence or intimidation of the opposition.

Electoral Code of Conduct

Of the 33 parties who have signed the Code of Conduct, 16 of them will be contesting the elections in the North West Province. They are:

Specimen

Provincial 2014 North West

Specimen

VRYHEIDSFRONT PLUS		VF Plus	
WORKERS AND SOCIALIST PARTY		WASP	
AFRICAN CHRISTIAN DEMOCRATIC PARTY		ACDP	
AFRICAN NATIONAL CONGRESS		ANC	
AFRICAN PEOPLE'S CONVENTION		APC	
AGANG SOUTH AFRICA		AGANG SA	
AZANIAN PEOPLE'S ORGANISATION		AZAPO	
CONGRESS OF THE PEOPLE		COPE	
DEMOCRATIC ALLIANCE		DA	
ECONOMIC FREEDOM FIGHTERS		EFF	
INKATHA FREEDOM PARTY		IFP	
NATIONAL FREEDOM PARTY		NFP	
PAN AFRICANIST CONGRESS OF AZANIA		PAC	
SOUTH AFRICAN POLITICAL PARTY		SAPP	
UNITED CHRISTIAN DEMOCRATIC PARTY		UCDP	
UNITED DEMOCRATIC MOVEMENT		UDM	

Fourteen of these parties have signed the Electoral Code of Conduct on 26 March 2014 in Mahikeng, North West. Four parties were removed from the national ballot after failing to meet the deadline to submit outstanding documentation and pay compulsory election deposits. The disqualified parties are the Dagga Party, the

Africa Unite Party, Lekgotla Democracy Advancement and the South African Progressive Civil Organisation.

Protests

A few more protests in North West occurred in Mokola village near Zeerust on 30 March. The protest was about

water. The protesters blocked the roads around the village and on the N4, but were fairly peaceful. The villagers refused to let the local mayor address them and would only speak to the Minister of Water Affairs.⁵⁷

A protest about toll fees in Swaruggens took place on

4 April. About 2500 people attended the protest and COSATU declared it a big success. The union stated that between 300 and 400 cars did not pay the e-toll at the most expensive toll gate in the province and vowed to return every week until the transport minister listened to their demands. He has promised to lower the toll fees but has not done so yet. Furthermore, residents want to know what is being done with the toll fees, since the roads in and around Swartruggens are in very bad shape.⁵⁸

The ongoing platinum mine strikes are taking their toll on those involved. The strike, led by AMCU, is in its third month, with talks between the union and mine management at a deadlock. AMCU does not have a strike fund, so workers have to help each other and are surviving through solidarity. Two workers are said to have committed suicide out of desperation.⁵⁹

The protests in the Boitumelong township near Bloemhof started on 2 April 2014. Protesters barricaded the N14 road linking Johannesburg to Cape Town. Police used tear gas and rubber bullets to disperse the crowd. Tensions boiled over when police tried to stop the protesters' illegal march through town. Police claim that protestors threw petrol bombs at a broken-down Nyala. Private and public property, including municipal offices and councillors' homes, were set on fire and damaged. The protesters accuse the may-

or and municipal officials of corruption and nepotism. Protestors started to loot foreign-owned shops and shops in town. During one such an incident a 17-year-old boy was shot dead by a shop owner. On 8 April the protests spilled over to Christiana, a neighbouring town, where the community hall was torched. The provincial government claims that it does not know what the protests are about since it has not received a memorandum. Employees at businesses were sent home, and schooling has been disrupted.⁶⁰

The North West premier, Thandi Modise, alleged that the protests were politically motivated. She warned protesters that the provincial government would not allow the province to 'degenerate into lawlessness' and that any persons participating in criminal acts would be arrested no matter who they were. Over 120 protesters were arrested and will appear in court on 11 April.

The Bloemhof protesters insist that the local municipality dissolve or they will conduct a mass boycott of the elections on 7 May. In the past voters helped the ANC to remain the governing party in the North West even amid heavy criticism and factional politics. With protests turning violent and reports of intimidation alleged by opposition parties such as the EFF, these events are sparking real fears of a potential voter stay-away in areas marked by violence and instability.⁶¹

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Oupa Makhalemele – Independent Researcher

The Electoral Commission Act of 1996 enjoins the Electoral Commission to establish and maintain liaison and cooperation with parties. In adherence to this Act the Independent Electoral Commission (IEC) established party liaison committees. As of 19 June 1998, the IEC's Regulations on Party Liaison Committees commenced. At the national sphere, the IEC established party liaison committees with not more than two representatives from every registered party represented in the National Assembly. In the provincial sphere a party liaison committee should have not more than two representatives from every registered party represented in the legislature of the province concerned.

The IEC may co-opt any person or representative onto any specific party liaison committee. Entitlement to be on the provincial party liaison committee is guaranteed on condition that the registered party, or the independent candidate contesting the elections in that province, has complied with the requirements for contesting that election.

The party liaison committee meetings are convened by the convener, he or she being a person designated by the Commission to play that role. In addition to convening these meetings, his or her role is to chair the meetings. The central purpose of these committees is the delivery of free and fair elections, by serving as vehicles for consultation and co-operation between the Commission and the registered parties concerned on all electoral mat-

ters.

Electoral Code of Conduct

The 1998 Electoral Act contains a binding Code of Conduct for political parties and their candidates. This is a critical part of consolidating democracy in South Africa, considering the entrenched culture of resolving conflict through violence, the visibly declining but still present proclamation (overtly or covertly) of no-go zones for opposition parties in some parties' strongholds, and the often bellicose rhetoric concomitant with this milieu.

The Code is aimed at promoting conditions that can mediate against such impediments to free and fair elections. With parties proclaiming adherence to principles such as political tolerance, free campaigning and commitment to free public debate, the Code is legally binding, and grants the Electoral Court "final jurisdiction in respect of all electoral disputes and complaints about infringements of the Code". Further, the Court's decisions or orders are not subject to appeal or review (Chapter 4 of the Electoral Act of 1998). Thus the court may hand out punishments ranging from fines to imprisonment for any person found guilty of contravening the Code. Importantly, though, the signing of the Code of Conduct is a strong symbol to the members and supporters of each party contesting the elections. Parties, regardless of current size of representation in the provincial legislature or in the National Assembly, bind themselves equally under the Code and thus show by example their commitment to play by the rules and demonstrate

their willingness to be subject to the strictures of the law.

The Code of Conduct is enforceable for all political parties from the date of proclamation (25 February 2014) and will remain so until the results are officially announced.

Below is the list of political parties that will be contesting the elections for seats in the Mpumalanga's provincial legislature. They are listed in alphabetical order, although the first party on the list is one whose name was drawn at the ceremony to declare adherence to the Code of Conduct, and will appear as the first party on all ballot papers.

Party Name	Acronym
Vryheidsfront Plus	VF Plus
African National Congress	ANC
African People's Convention	APC
Agang South Africa	AGANG SA
Azanian People's Organisation	AZAPO
Bushbuckridge Residents Association	BRA
Congress of the People	COPE
Democratic Alliance	DA
Economic Freedom Fighters	EFF
Inkatha Freedom Party	IFP
National Freedom Party	NFP
Pan Africanist Congress of Azania	PAC
Sindawonye Progressive Party	SPP
United Christian Democratic Party	UCDP
United Democratic Movement	UDM

Source: IEC

Political Violence and Intolerance

The 2014 elections is a watershed moment, perhaps more so than was the case in the period shortly after the momentous Polokwane Conference, when the Congress of the People (Cope), an ANC breakaway party, formed shortly before the 2009 elections. Analysts back then saw the development as presenting a real challenge to the hegemony of the ANC. With the opposition suffering mainly from the legitimacy deficit in the eyes of the majority of the electorate, it was thought the leadership of Cope's struggle credentials would propel the party into the position of the official opposition, possibly displacing the Democratic Alliance from this position. This position was challenged, however, by several factors, including the lack of significant deviation from the policy perspective from the ANC and the internal power struggles over leadership within Cope. Many of those who had defected from the ANC to join Cope would subsequently rejoin the ANC, and the Cope would descend further into factionalism, leading to court battles and a further split of the

party in early 2014.

The subsequent emergence of the Economic Freedom Fighters under the leadership of former ANC Youth League president Julius Malema has seen its ranks swelled mainly by young people. Its manifesto launch on 22 February reportedly drew more than 50 000 people, despite the ANC's event in a stadium less than a kilometre from Mehlaeng Stadium in Thembisa, where the EFF and its affiliate parties had gathered. Often criticised as populist, with its policy feasibility questioned (for example, the proposed source of resources required to fund its social wage promises), the manifesto has nevertheless drawn huge support and found resonance among the poor, who form a majority of the electorate in South Africa.

The ANC does not seem fazed though, and with the recent Ipsos Markinor survey predicting a more than 60% win for the party, the EFF does not seem a real threat for the ruling party's dominance. Even so, concerns about the culture of tolerance of opposition abound.

On 27 March political parties contesting the May 2014 elections in Mpumalanga congregated at the Emnotweni Casino in Mbombela to sign the IEC's Code of Conduct. Parties at the ceremony claimed they were concerned about the alleged tendency of the provincial ruling party (the ANC) to interrupt their campaigns in communities⁶². Collin Sedibe, the Economic Freedom Fighters' representative, made this claim, challenging the ANC to conduct itself as a party confident of its predominance as it claimed, rather than one that is threatened by the prospects of opposition parties⁶³.

Conclusion

As South Africa's democracy reaches 20 years, the ruling African National Congress is faced by unprecedented legitimacy challenges, coming under attack even from its own senior leaders. The incumbent president Jacob Zuma has been dogged by controversies that undermine the ruling party's image as a party committed to social transformation driven by a pro-poor policy framework, respect for the principles of good governance and a

commitment to fighting corruption. It does not look as though these factors will of themselves translate into a threat to the ruling party's dominance at the polls this year. Yet concerns remain as to whether all the parties contesting the elections in 2014 will feel free to exercise this right to campaign and propagate their points of view on the one hand, and that the ordinary citizens will similarly feel free to campaign and choose the party that appeals to them on the other.

The culture of violence in South Africa, manifesting in many aspects of life, is especially evident in the public political space, from the repertoires of service delivery protests to the bellicose rhetoric often used by leadership of many parties in the country. The Independent Electoral Commission

has in place conflict-management mechanisms that govern the conduct of political parties contesting elections. The Electoral Commission Act of 1996 gives powers to the IEC to establish the framework for conditions conducive to holding free and fair elections in South Africa. The most public show of this effort is the signing of the Code of Conduct, which has a demonstrative effect as party leaders publicly declare adherence to the code, thus showing by example that elections in a democracy are an expression of the right to campaign and propagate their case to the electorate, to which the public also has a right to respond openly and without fear.

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⁶³ Ibid

LIMPOPO

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Free and fair elections depend on a lot more than what happens on the actual day of voting. To consider elections as free and fair, the environment preceding the actual voting day ought to be such that it allows for free campaigning by political parties, free access to the messages of political parties by citizens, and the availability of information regarding what parties stand for. Any form of intimidation with the potential to impede free campaigning by political parties and access to information by citizens would constitute political intolerance.

In outlining the necessary environment for free and fair elec-

tions, Section 87 of the Electoral Law⁶⁴ prohibits certain conduct. It provides that "No person may compel or unlawfully persuade any person:

- (i) to register or not to register as a voter;
- (ii) to vote or not to vote;
- (iii) to vote or not to vote for any registered party or candidate;
- (iv) to support or not to support any registered party or candidate; or
- (v) to attend and participate in, or not to attend and participate in, any political meeting, march, demonstration or other political event.

While conduct that amounts to political intolerance receives much attention and media coverage in the immediate period leading to elections, the general conditions 'outside' the electoral season may provide better clues to the levels of intolerance, or tolerance, that might ensue in the period before elections. Political intolerance also needs to be understood in the broader context of the socio-political history of a society. It is highly unlikely that a country with a general history of intolerance would suddenly demonstrate political tolerance in the period of elections. South Africa has a history of political intolerance, often expressing itself as in the form of open violence. The 2014 elections have had some level of expression of political intolerance at national lev-

el between the different political parties and between and amongst their supporters as well.

The provincial picture, however, is different from the national one.

Political Violence and Intolerance

Limpopo is one of the provinces where there has not been a recorded history of sustained political intolerance, at least as measured in the previous elections. The conflicts that have been recorded in Limpopo are also emerging within the context of broader service delivery quarrels by communities, the community protests and labour strikes. A monitoring of press reports indicates that from November 2013 to March 2014 Limpopo Province experienced approximately 59 incidents with the potential to have a negative impact on free and fair elections.⁶⁵ While most of the recorded incidents have had a direct impact on the process of voter registration carried out by the Electoral Commission of South Africa, a number of them had no relation to the elections or the party campaigns and have been largely directed at government – indicating therefore a general distrust of the political system as a whole.

Of the 59 recorded incidents in that period, approximately 40 incidents were related to service delivery, demarcation disputes, and traditional leadership disputes, while approximately eight of those incidents were directly related to the conduct of political parties⁶⁶ or members of political parties. The other remaining issues have to do with the logistics – such as the Electoral Commission having attained the necessary authorisation to erect a tent to carry out voter registration and voter education.

The question that needs to be considered is whether the expression of service delivery concerns by communities during the period of voter registration and voter education should be classified as political intolerance attributable to the election period or whether this is a reformulation of the relationship between citizens and state authority stemming from their frustrations with the political system as a whole. The case of Limpopo shows that the role of political parties where intolerance is expressed is fairly negligible.

However, the case of Limpopo also shows that while political parties are instrumental to promoting political tolerance, their ability to influence the atmosphere also depends on the general environment in which they exist. Where there has been sustained social and political confrontation, it is more likely that parties would not be influential in forging tolerance.

The sustained community protests that have been associated with service delivery have created an environment in which political tolerance would be weaker. The existence of violence generally creates an atmosphere of intolerance. There are indications in Limpopo that certain communities may boycott elections due to the concerns that communities have put forward, which they would like to have addressed before elections.

Among some of the notable incidents that signal political intolerance in Limpopo is the reported assault and killing of an AgangSA member after attending the party's branch launch in Uitkyk, Bochum.⁶⁷ The incident is reported to be an expression of political intolerance also because the deceased was coming from a par-

ty-related event and was also reportedly wearing party insignia.

In an environment where a single party continues to dominate in successive elections, smaller political parties are motivated to drive the idea that anything that happens to their members should be understood as political intolerance. Such explanations would gain traction in a situation where incidents of violence are not common. However, notwithstanding that violence should be condemned irrespective of circumstance, it is important to be circumspect before classifying common criminal violence as having been motivated by political intolerance.

Other than the incident relating to the AgangSA member, Limpopo has not experienced incidents where political party members have allegedly been killed because of their party allegiance or affiliation.

Conclusion

Limpopo remains one of the provinces with the lowest levels of tension in the country, apart for the tensions between communities and local authorities. And even in this regard, compared to other provinces, the province has recorded the lowest levels of service delivery protests to date. The tense environment created by service delivery tensions has a significant bearing on the period leading up to the elections. According to the report by the Limpopo IEC Office, instances related to service delivery disputes and demarcation of municipalities have already had a bearing on the voter registration process and might result in the boycotting of elections in certain areas in the province.⁶⁸ This possible boycott will be isolated to these particular areas, however, and there are no

indications yet that there will be a general stay-away.

END NOTES

⁶⁴ Electoral Act 73 of 1998

⁶⁵ Conflict Returns from November 2013 to March 2014: Limpopo Province, 2014

⁶⁶ Conflict Returns from November 2013 to March 2014: Limpopo Province, 2014

⁶⁷ City Press, AgangSA member killed

in Limpopo, 7 October 2013
⁶⁸ Conflict Returns from November 2013 to March 2014: Limpopo Province, 2014

EASTERN CAPE

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With the national elections looming, pre-election tension mounts amongst political parties. Many communities and areas are declared no-go areas by some political parties who think that they own particular voters in certain territories, campaigning party posters are pulled down and vandalised, and some lose their lives and property as a result of political conflict. That is often done by parties who have a large support base in certain areas and feel threatened by any other party that comes to campaign in the area. This kind of behaviour is not acceptable and is against democratic practice and principles and contravenes the electoral code of conduct for free and fair elections.

The IEC in the Eastern Cape hosted an event in March 2014 in which the political parties contesting in the province (see Election Update Issue One for the full list of parties contesting the Eastern Cape) signed the code of conduct, committing themselves to abide by its terms. There have not yet been any serious cases of political violence reported heading into the 2014 elections.

Political Violence and Intimidation

The right to vote is a fundamental right in any democracy. Voter registration has been demonstrated to be a key element facilitating participation, since registration has been established as a requirement for participation. Unfortunately, in some parts of the Eastern Cape, political intolerance and intimidation have denied some people an opportunity to exercise this right to vote.

Nowhere in the Eastern Cape is this more the case than in Sterkspruit, where the army was called in to assist in containing acts of intimidation and threats during voter registration. As noted in the press report, 15 people were arrested in Bizana near Nomlacu Village for violence, intimidation and malicious damage to property.⁶⁹

In yet another incidence of intimidation, voter registration in Dalasile, a rural village near Engcobo in Transkei, a group of people interrupted the voter registration exercise when they blocked entrances to the registration centres.⁷⁰

Besides violence and intimidation, there have also been cases where political parties have accused each other of violations in connection with the display of election posters. For example, a

political storm erupted between the DA and the ANC when the latter accused the former of disrespecting municipal by-laws (Daily Dispatch March 2014).

Although there have been reported cases of violence and intimidation, this may have very minimal impact on voter turnout on Election Day.

Electoral Code of Conduct

The Code of Conduct is enforceable for all political parties from the date of proclamation (25 February 2014) until the results are officially announced.⁷²

The Code is part of the Electoral Act (73 of 1998) and includes a list of prohibited conduct, including:

- Using language that provokes violence
- Intimidation of candidates or voters
- Publishing false information about other candidates or parties
- Plagiarising any other party's symbols, name or acronyms
- Offering any inducement or reward to a person to vote for a party

All political parties contesting the national elections as well as the Eastern Cape provincial elections signed the code of conduct and committed to abide by its

principles.

In the Eastern Cape, the level of participation in the 2014 elections is anticipated to be high. According to the Electoral Commission of South Africa, as at 11 November 2013, the Eastern Cape had the highest registration rate of potential voters at 82.9%, followed by the Free State at 82.5%.⁷³

According to the Human Science Research Council, the Eastern Cape continues to be one of South Africa's provinces with the highest level of poverty, under-development infrastructure and unemployment.⁷⁴ It is arguable that this contemporary marginalisation represents a 'second round' of social exclusion of rural communities, following on from the historical marginalisation of these communities under conditions of racial capitalism (first under segregation and then under apartheid subsequent to 1948). At the height of resistance to this segregation people in the Eastern Cape, and countrywide, used force, violence and other aggressive methods to show their dissatisfaction with these hostile systems of governance.

Although the then Eastern Cape Province had the voting franchise, the majority of people in the Eastern Cape were not permitted to vote and express their views on who should govern them. They expressed their dissatisfaction with this status quo peacefully at first and eventually using violent means to ensure that they took part in determining who governs the country. It is useful to briefly mention the effects that the history of violence had on the psyche of the people of the Eastern Cape, one of the poorest provinces in a country with a violent history. This use of violence had many major impli-

cations, one of which is the continued culture of violence in the province. In the event that one is not happy with a decision, be it in a community or that which is taken by government or its representative, violence is at times used as a form of communication to voice dissatisfaction. This culture of violence in the province can be attributed to a number of other factors, which are not discussed here. However, it would be important to note that along with another culture in South Africa, that of political intolerance, political violence may therefore also be understood as a manifestation of a broader culture of violence in South Africa, in which violence is seen as a way to address conflict and assert interests.

Political and Electoral violence

There is a need for caution to be exercised in analysing the topic of election-related violence. It is probably appropriate to acknowledge that many of these kinds of acts are presumed to be election-related, but that there is an element of uncertainty. While election-related violence can be analysed in terms of the national and provincial level power struggles between the key political parties, it should however be clarified that the violence that takes place cannot be linked to senior leaders of the political parties whether at national and provincial level. At times there may be an overlap between political and criminal violence.

It is also the case that political violence can be linked to local competition over resources. The fact that corruption remains a feature of political life in South Africa implies that criminally related acts of political violence, such as political killings, will continue to be a risk until there is a more robust response to the problem

of corruption. It is therefore the decisions taken and speeches/comments made that may fuel to some level of political intolerance, which can result in criminal acts of violence.

The Independent Electoral Commission (IEC) stipulates clearly in its Code of Conduct for political parties and their leaders how they should engage and campaign in the elections and says that they should "desist from using speech or from participating in actions which will have the effect of provoking either parties' supporters or members of the general public to commit acts of intolerance or take other inflammatory actions". Compliance with the rules and regulations as stipulated in the Code of Conduct has in the past meant a decrease in politically motivated violence at election time.

Cases of political violence in the build-up to the 2014 elections

As was reflected by the contrast between the 2004 and 2009 elections, levels of political violence appear to be partly related to whether the elections hold out the prospect of a shift in the balance of power between rival political forces. Despite the impression that violence and intimidation was not a significant feature on the 2009 election, it cannot be said that the rights to free political activity have been fully established in the Eastern Cape.

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⁷¹ David Macgregor, DA outraged at ANC's disregard of council ruling <http://www.dispatch.co.za/news/da-outraged-at-ancs-disregard-of-council-ruling/> (Accessed 28 March 2014).

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FREE STATE

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Elections remain a principal mechanism of political accountability in a democratic state. In the South African context, elections are adversarial in their nature, as they represent various political parties contesting for power. To a large extent these political parties mirror the country's society: a highly divided society with diverse interests. Thus, it is not surprising that, in many instances, simmering political tensions experienced over many months or even years find expression during election periods. It is therefore the constitutional mandate of the Independent Electoral Commission (IEC) to ensure that elections in the country are conducted in a free and fair manner. To this end, political party liaison committees were introduced at different levels in order to minimise electoral intimidation and conflict by providing political parties with the opportunity to liaise with the commission on electoral processes. Another mechanism for conflict management includes the codes of conduct for political parties, with strong sanctions penalising electoral violence. Yet the volatile political situation that often characterises election years cannot be taken lightly due to the proliferation

of community and social movements that are dissatisfied over perceived poor service delivery.

Mechanisms for conflict management

The IEC is one of the Chapter 9 state institutions aimed at strengthening constitutional democracy and promoting democratic electoral processes in South Africa. According to the Electoral Commission Act 51 of 1996, the functions of the IEC include ensuring free and fair elections; promoting conditions conducive to free and fair elections; and promoting co-operation between various stakeholders for the achievement of its objects. Moreover, it is responsible for counting, verifying and declaring the results of an election.⁷⁷

Effective leadership within provincial IEC offices makes a huge difference to protecting the integrity of the electoral process and engendering trust and acceptance by the electorate in the election results. Since the establishment of the IEC in 1993, the Free State provincial office has been managed by Mr Chris Mepha, an experienced elections administrator. Mr Mepha will be retiring soon, but he is leaving behind passionate, suitably trained and experienced support staff.⁷⁸

Like all other provinces, the Free State has an operational and effective Party Liaison Committee (PLC). The PLC is a legislated and legitimate platform for multi-party engagement with the IEC on matters pertaining to the electoral matters, aimed at the delivery of free and fair elections. According to IEC officials in the province, most conflict during the past elections has been successfully dealt with within the PLC. One party leader in the province also indicated that besides the highly fractured political relations between parties, engagement within the PLC is mostly affected by the maturity of party representatives.

The South African Police Services (SAPS) will be responsible for establishing security and the rule of law during the elections of 7 May in the province. The SAPS in the province is providing constant feedback to the national joints operation centre involving the army and the police that are monitoring threats to the elections.⁷⁹ The SAPS is therefore not only crucial to ensuring safety, but is also essential in creating a peaceful election environment that facilitates free, fair and credible elections. In this regard, the SAPS in the province is satisfied with its joint security with the provincial IEC.

Political Violence and Intolerance

There is some reason to believe that the freedom of association enshrined in the South African Constitution will lead to political tolerance among political parties contesting for elections. However, the situation is pretty fraught on the ground. For example, one commentator has expressed serious concern about the country's vibrant party political system which is driven by personalities rather than debates around policies. Generally, it also appears that political tolerance is seriously undermined, especially in areas where the power of the ruling party is threatened.⁸⁰

Recently, several acts of intolerance and intimidation have been reported by the opposition

parties in the Free State. One of the major complaints by opposition parties is that the African National Congress (ANC) controlled municipalities in the province are refusing them permission to use facilities for their election campaigns. According to the Democratic Alliance (DA) premier candidate, all the public halls in Lejweleputswa have surprisingly been fully booked, despite remaining unused. This was also confirmed by the Congress of the People (COPE) premier candidate, who says that the ANC has been doing this since 2009 and that it is getting worse now as the elections approaches. Both parties maintain that these denials of access to public facilities on the false pretext of their being already in use or reserved is a violation of the electoral law and demands action. The ANC in

the province responded that it is not its responsibility to give permission for the use of municipal facilities.⁸¹

The DA further argued that a recent ANC political rally in the province attended by ANC president Jacob Zuma is another example of how the ruling party abuses state resources for electioneering. During this event the SA Social Security Agency (Sassa) handed out blankets and food. The DA was adamant that this is indicative of how the ANC uses "inducements" or "rewards" to encourage citizens to vote or not vote in a particular manner. According to the Social Development Minister, Bathabile Dlamini, the presence of Sassa at the Free State ANC election event was a coincidence.⁸²

Electoral Code of Conduct

Only one of the 12 parties that will be contesting the May 7 elections in the Free State has not signed the code of conduct during a ceremony organised by the IEC in Bloemfontein on 7 March 2014. The parties that signed the code of code are the following:

Party	Acronym
African Christian Democratic Party (ACDP)	ACDP
Agang SA	AGANG
African National Congress (ANC)	ANC
African People's Convention (APC)	APC
Congress of the People (COPE)	COPE
Democratic Alliance (DA)	DA
Dikwankwetla Party of South Africa (DPSA)	DPSA
Economic Freedom Fighters (EFF)	EFF
Inkatha Freedom Party (IFP)	IFP
United Christian Democratic Party (UCDP)	UCDP
United Residents Front (URF)	URF
Freedom Plus (VF+)	VF+

According to the IEC in the Free State, only the Azanian People's Organisation (AZAPO) did not sign the code of conduct. AZAPO was invited, but has not tendered any reason for the non-attendance. The IEC stated this will not affect the electoral process, as acceptance to compete in the elections automatically binds a party to the code of conduct whether it has signed it or not.

New incidences of protests and implications for the electoral process

Political violence has deep roots in South Africa, and it continues to pose a serious threat to the country's democracy. Generally, electioneering in the Free State remains relatively peaceful; however, there has been a drastic increase in the number of service delivery protests and clashes between political parties. Although

these activities do not present an immediate risk to the forthcoming elections, knowledge of these hotspots may enable relevant stakeholders to better anticipate election-related violence and put conflict prevention programming into place to mitigate its occurrence and stem its escalation. According to the IEC in the Free State, the following table depicts the areas identified as hotspots by the National Intelligence Services:

Table: Hotspots in the Free State

Town	Reason
Bloemfontein	Dissatisfaction of Mangaung Concerned Residents and National Unemployed Voters Organisation regarding developments at Seisa Ramabodu Stadium, Raamkraal and N8/Airport developments
Bothaville; Botshabelo; Clarens, Clocolan; Parys, Thabong; Petrusburg; Phuthaditjhaba; Sasolburg; Thaba Nchu, Wepener and Winburg	Service delivery
Koffiefontein and Theunissen	Unemployment, incomplete RDPs and electricity cuts
Smithfield	Unidentified EFF member encouraged community members to illegally occupy municipal land
Viljoenskroon	Rivalry between political parties

END NOTES

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WESTERN CAPE

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This update focuses on the Electoral Code of Conduct and the institutional framework of the Independent Electoral Commission (IEC) in relation to its mechanisms for conflict. The political environment in the province in relation to political intolerance and intimidation will also be ex-

amined.

Mechanisms for conflict management

The Commission in the Western Cape has confirmed that the Party Liaison Committee (PLC) continues to meet regularly, and there is also ongoing participation by various stakeholders in joint structures monitoring the conditions in which the elections are taking place. Also, a conflict resolution panel consisting of experts has been established and trained on recent changes in the electoral law. The experts on

the panel are at the disposal of the Commission for deployment to the provinces as and when it is necessary. There is extensive communication of the electoral process to political parties, emphasising cut-off dates in the Electoral Timetable, so as to ensure a smooth election management process.

The Electoral Timetable (as published in Government Gazette No. 37387 on February 26, 2014) continues to dominate the content of discussions of the liaison committee meetings and it is against this that the nature of the political

environment will be monitored.

- 1 April 2014 – Cut-off date for objections to a candidate;
- 7 April 2014 – Cut-off date for the decision on objections to a candidate;
- 7-17 April 2014 – Applications for special votes to Municipal Electoral Officer opened;
- 10 April 2014 – Cut-off date for appeals against a decision of the Commission;
- 15 April 2014 – Cut-off date for deciding appeals and notifying parties
- 22 April 2014 – CEO to give effect to decisions of the Commission on objections or appeals to the Electoral Court; CEO to compile a list of parties entitled to contest elections;
- 24 April 2014 – Certificates issued to candidates on a final list of candidates;
- 30 April 2014 – Application and casting of special votes outside the Republic;
- 5-6 May 2014 – Visitation for purposes of casting a special vote; casting of special vote at the office of the presiding officer.

One of the concerns raised at the Western Cape PLC meetings is about voting stations that have been moved. It was discovered during the February voter registration drive that voting stations were moved to different locations without adequate notice to affected voters. One example is in Ward 99 in Khayelitsha, where the voting station was moved to the College of Cape Town. The Commission has acknowledged that the moving of voting stations remains a challenging matter as it gives rise to difficulties because lists of voting stations have already been published in the government gazette. A practice which will be adopted is that in

the event that a previously published facility is not going to be used as a voting station, the move only takes place after members of the Western Cape PLC all approve the relocation of the voting station to another venue.

In dealing with these issues the Western Cape PLC noted that the majority of concerns about the moving of voting stations came largely from new political parties who were not part of the Western Cape PLC decisions, as they were not included in the Western Cape PLC until recently. The fact that their concerns could be dealt with is a demonstration of the effective workings of the PLCs. In the past the Commission has only dealt with represented parties in its party liaison committees, but it has become evident that new political parties that are unrepresented often end up contesting elections, sometimes at the last moment. This previously resulted in a situation where they are deprived of the consultative and informative processes that take place with the represented parties, hence the decision to invite all political parties to be part of the Western Cape PLC.

The National Co-coordinating Forum is a forum that brings together the IEC and civil society formations to prepare for the 2014 elections. During its February meeting it was noted that twenty years into democracy political parties have become more sophisticated in their quest for voter support. As a result, the Commission has found itself increasingly dealing with a litigious environment as political parties contest the areas of limited scope in the electoral law. For example the court case pertaining to the Tlokwe Municipal by-elections has also influenced the level of vigilance political parties in the Western Cape now

exercise towards the IEC. Some of these legal battles have led to the amendments in the Electoral Act. According to the Commission, to satisfactorily execute its mandate, it has become essential to adjust its capacity to be able to deal with complaints, objections, disputes and court cases, as well as conflict resolution management abilities so that conflicts can be identified and solved before they escalate.

Outcomes of the Western Cape PLC deliberations indicate that there has also been more intense scrutiny of the processes of the Commission, as political parties were prepared to take the Commission to court to contest some issues related to the recent by-elections that took place in the province during the same period of voter registration campaign for the 2014 elections. Of the ten wards in the municipal by-elections,⁸⁴ three were held in the Western Cape, and results released by the IEC on February 20 indicate that in Ward 35 of Cape Town, ANC candidate Mzuzile Mpondwana won with 79% of the votes. In Ward 43 of Cape Town,

DA candidate Elton-Enrique Jansen secured 4 523 (80%) of the votes to win. In Ward 9 of Saldanha Bay, ANC candidate Ika-kanyeng Matthews Riet won 1 977 votes (84.2%) of the 2 347 valid votes.

The overlap of these events (the by-elections and the voter registration campaign) has meant that political party liaison meetings have also been used as a rehearsal by political parties to gauge the capacity of the IEC to deal with election-related problems that are likely to occur on a larger scale in the May 7 elections. While the Commission in the province is not overly concerned by deci-

sions of political parties to take it to court, it expressed concern that this meant that the Commission was forced to divert its resources and energy in contesting these cases.⁸⁵

Electoral Code of Conduct

The signing ceremony of the Electoral Code of Conduct in the Western Cape on March 24 by 26 of the 29 leaders of political parties participating in the upcoming national and provincial elections resembled the national ceremony held on March 19.⁸⁶ All the parties contesting the election in the Western Cape signed the code of conduct.

List of Parties Which Signed the Code of Conduct in the Western Cape

Party	Acronym
AFRICAN CHRISTIAN DEMOCRATIC PARTY	ACDP
AFRICAN INDEPENDENT CONGRESS	AIC
AFRICAN NATIONAL CONGRESS	ANC
AFRICAN NATIONAL PARTY	ANP
AFRICAN PEOPLE'S CONVENTION	APC
AGANG SOUTH AFRICA	AGANG SA
AL JAMA-AH	NO ABBR
AZANIAN PEOPLE'S ORGANISATION	AZAPO
CONGRESS OF THE PEOPLE	COPE
DEMOCRATIC ALLIANCE	DA
ECONOMIC FREEDOM FIGHTERS	EFF
FIRST NATION LIBERATION ALLIANCE	FINLA
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	ICOSA
INDIGENOUS PEOPLES ORGANISATION	IPO
INKATHA FREEDOM PARTY	IFP
KINGDOM GOVERNANCE MOVEMENT	KGM
NATIONAL FREEDOM PARTY	NFP
NATIONAL PARTY SOUTH AFRICA	N.P
PAN AFRICANIST CONGRESS OF AZANIA	PAC
PATRIOTIC ALLIANCE	PA
PEOPLES ALLIANCE	PAL
SIBANYE CIVIC ASSOCIATION	SCA
SOUTH AFRICAN PROGRESSIVE CIVIC ORGANISATION	SAPCO
UNITED CHRISTIAN DEMOCRATIC PARTY	UCDP
UNITED DEMOCRATIC MOVEMENT	UDM
VRYHEIDSFRONT PLUS	VF Plus

The value of these periodic, face-to-face gatherings and the subsequent IEC committee platforms they make possible cannot be overstated. Over the years, these meetings have provided an indispensable opportunity during election campaigns for the stakeholders to express and exchange views in a private, forthright manner, based on the philosophy of an open and democratic society. The importance placed on these meetings by the leaders of stakeholder formations has once more been made clear.

Political Violence and Intolerance

Currently the political environment is marked by aggressive rhetoric rather than acts of intimidation. One serious incident reported in the newspapers is that on April 7 the house of an EFF member was torched in Khayelitsha. "After successful campaigning ... this weekend, a candidate of the EFF Western Cape ... has had his home gutted by a fire in the early hours of this morning," said EFF provincial spokeswoman Yerushka Chetty to the media.⁸⁷ Furthermore, an ANC councillor has been living in a safe house and was assigned bodyguards by the City of Cape Town after her home was burnt down in an alleged arson attack.⁸⁸

Whilst there is a public affirmation to desist from using speech or from participating in actions which will have the effect of provoking either parties' supporters or members of the general public to commit acts of intolerance or take other inflammatory actions, as the election date draws closer parties find it hard to refrain from engaging in inflammatory campaign rhetoric. According to newspaper reports,⁸⁹ on March 19, Public Enterprises Minister Malusi Gigaba used a govern-

ment dialogue with Cape Town residents on Thursday to criticize the Democratic Alliance and its policies. "They are not the devil's brothers. They are not the devil's relatives. They are the devils themselves," he reported as having told the packed OR Tambo Hall in Khayelitsha. "And so our modern-day devils, two-legged as they are, are liars and cannot face the truth."

In another newspaper report,⁹⁰ Sports Minister Fikile Mbalula compared the DA's governing of the Western Cape to witchcraft - and urged residents to summon the help of tokoloshes. Mbalula spoke in Nyanga on the occasion of commemorating the 35th anniversary of Solomon Mahlangu's death. "This thing of witchcraft is when a witch does nothing for the people but they still get re-elected. This is what we find ourselves in here in the Western Cape. We are being governed by witches," Mbalula told the crowd at the Lusaka Community Hall. In his speech, Mbalula launched a verbal attack on the DA-led provincial government and what he termed a failure to deliver for poor communities. "These witches are oppressing us, they are trampling on us. Where are the tokoloshes and the (sangomas) so that we can chase these witches away," the report continued.

As indicated in the previous update, the Western Cape has been plagued by service-delivery protests, many of which have sprung up in the townships of Gugulethu, Khayelitsha and Nyanga in what was termed as the "Poo protests" in which protestors threw faeces on the stairs of the provincial legislature of the Western Cape and later at the Cape Town international airport. The most recent development is that the leaders of these protests, Loyiso Nkohl and Andile Lili, have been re-in-

stated as members of the ANC.⁹¹ Nkohl was expelled from the party following his involvement in last year's dumping of human faeces during protests in the city. Nkohl and Lili, a former City of Cape Town councillor, were charged with, among others, bringing the ANC into disrepute. Lili was given a suspended three-year sentence, disqualifying him from participating in ANC activities for one year.

According to newspaper reports,⁹² on March 24, the City of Cape Town's traffic, law enforcement, metro police and cleansing departments and police were deployed along the N2 highway to maintain law and order and safeguard motorists, following protests by local residents. According to the report, City of Cape Town executive director for Safety and Security Richard Bosman told the Cape Argus that from 4.30 that morning, protest action was reported at the following locations: N2 Borchers Quarry and Airport Approach Road, N2 Baden Powell Drive, Baden Powell Drive/ Walter Sisulu, Baden Powell/Jaftha Masimole Drive, Hindle/Fairfield in Delft, various areas in Khayelitsha and several areas in Delft. Similar protests are expected ahead of the elections as election campaigns intensify in the area. The volatile, politically tense situation in the Western Cape will need to be monitored.

It will also be important to continue monitoring farm areas as potential hotspot areas. In 2012 farm workers in the Western Cape embarked on protest action for higher wages and improved working conditions.⁹³ The protests highlighted issues of poor pay, poor working conditions and adequate housing as their main problems. The violence that erupted in many farming towns

resulted in the loss of life. Farm areas continue remain an area of concern not only in terms of the logistical process where farm workers continue to rely on employers for transport to get to the voting stations, but also because the underlying tensions still exist.

Finally, gang violence on the Cape Flats remains a concern. According to one newspaper report,⁹⁴ “There had been 3 280 attempted murders in the year, nearly 1000 more than in the year before”. The report attributed this to “increasing gang turf wars across the Cape Flats, ever-increasing incidents in rural areas and robberies”. Western Cape IEC provincial electoral officer Courtney Sampson said at a media briefing on March 24 that the climate of desperation in some areas could be a threat to election proceedings.⁹⁵ Sampson cited violence in the Siqalo informal settlement, where an IEC tent was petrol-bombed after a day of voter registration last month. He said residents had also directed their rage at a portable flush toilet brought in for the day to be used by IEC staff.

In sum, the Party Liaison Committee appears to be fulfilling its role of defusing conflict situations in the province. However, the continued tensions outlined

above and service delivery protests remain a concern leading up to the elections in the Western Cape.

END NOTES

⁸³ We would like to acknowledge the assistance of Nosiphiwo Nabatala, Mfundo Mazwi and Ashlyn Bailey, who assisted with research for this publication.

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FRAGMENTATION AND FRACTURE – THE LOSS OF TRUST AND CONFIDENCE IN POLITICAL PARTIES

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South Africa appears caught in a curious absurdity. Political rogue and political royalty seem as one. It is the fourth world this, where abnormality pretends to be the norm. The first world, its privileges and excesses, simultaneously co-exist with the third and its deprivations. But alongside the third world's quad-evils of chronic socio-economic under-development, high unemployment, deep poverty and extreme inequality, South Africa presents the blight of intolerable levels of extreme criminality, rape (including that of children and the elderly), murder and social violence. Incivility and inhumanity are this fourth world norm.

Arguably, it couldn't be otherwise. Conditioned as we are by the inhuman and impudent injustices of racial colonialism and apartheid capitalism, struggles and resistance to them, the collective legacy bequeathed the society is the conjoined effect of

social marginalization and economic exclusion, perpetuated by twenty years of poor policy judgement, inappropriate policy and a myopic, self-serving political governance and corporate business leadership. Endemic social pathologies haven't helped along the path to rehabilitation, reconciliation, redress and reconstruction either.

All the while, however, political parties appear to behave as if the pursuit and capture of power and its trappings can quite acceptably be their normal rationale. This may be theoretically appropriate in conditions of theoretical normality. But we exist in neither theory, nor normality. No one does. So it isn't appropriate for political parties to pretend that electoral contests can serve to legitimate parties in power. Yet, it is precisely this mode of behaviour that political parties appear to have adopted, abandoning even a faint pretence otherwise. Undoing a past which more than lingers in the present doesn't appear to be a priority for any of them. Capturing power at all costs does.

That political parties exist to capture power and exercise influ-

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ence in economy and society is something we must accept. But the capturing of power and the exercising of influence for its own sake is something we must not. Pursuing power for its own sake is authoritarian. Exercising influence for its own sake is duress. Neither is a desirable condition of democracy. The exercise of power and influence needs to serve a purpose if the agents exercising them are to enjoy legitimacy in authority and power and credibility in influence. South African political parties are at risk of jeopardising both. Widely held public perceptions appear to suggest that parties exist merely to pursue power as an end in itself, rather than to shape society for the better, or create the conditions and agency for citizens to flourish. Bearing in mind the quip that there are three kinds of lies – lies, damned lies and statistics – how else are we to interpret consistently declining levels of public trust in political parties across the board?

While it is a global phenomenon, declining levels of trust and confidence in political parties has particularly acute consequences for a divided society such as South Africa's. Since 2005, reliable public perception surveys conducted by both the Human Sciences Research Council and the Institute for Justice & Reconciliation (IJR) show that trust in political parties has been in precipitous decline. A South African Social Attitudes Survey (SASAS) 2011, 2012 shows that in 2011, 25% of people surveyed demonstrated some trust in political parties. A year later this figure had gone down to 21%. The IJR's SA Reconciliation Barometer Survey for 2012 shows that only half of all adults (50.3%) and less half of the youth (49.7%) trust leaders to do what is right. This same survey shows that less than half of

people surveyed (44%) think that the economic situation is likely to get better in the next two years and only one third (33%) trust that the government is doing well getting young people into jobs. With such low and decreasing levels of trust and confidence in political parties, lower levels of voter turnout may well present a real issue in this 2014 election.

So the pursuit of purposeless power is what our politics appears to have become. More perniciously, politics seems premised on the capture of power to serve narrow personal, recidivist ends rather than address the most urgent social, economic and political issues confronting society. Such has been the consequence of the normalisation of politics in conditions of social abnormality – even within the governing alliance, which with increasing veracity can be charged with having abandoned its historic mission to serve society and govern in the collective interest.

In most societies a party in power will be kept in check by other social actors. Its propensity for executive and other excesses will be curbed by constitutional and legal writ, benefit and behaviour regulated through policy, criminality and social infractions policed by organisations dedicated to rooting them out, and misdemeanours adjudicated by an independent judiciary. But viable opposition political parties in functional institutions play an equally vital role, as do internal curbs exercised through different factions within a governing political party. Few of these are what citizens perceive to be happening in South Africa.

With a governing alliance presiding over the hollowing out of state institutions, ineffective policing and indecisiveness in

macro-policy, trust that the current governing alliance will deliver collective public goods is low. A creeping homogeneity in collective thinking in the upper reaches of the governing party is evident. Silence for fear of exclusion animates any dissenters that there might be, while subservience breeds complicity in acts of corruption. A fracturing manufactured and often imposed consensus through the practice of "democratic centralism", and the decline of a once powerful and progressive labour movement wrapped in internecine ideological, policy and personality squabbling hobbles any prospect of internal oversight and accountability in the excessive atavistic cannibalisation of the state and its resources.

Hope that opposition parties can in fact play this role is misplaced. Of the two parties that have emerged from a split and schism in the governing party, both at inception ostensibly claiming to be recapturing the true essence of what the ANC once was, one, COPE seems intent on self-imploding while the other, the EFF, appears to be a little more than a rabble-rousing band of miscreants.

It is impossible to say how well either of these two parties will perform in South Africa's 2014 elections, as it is to predict how any of the serious parties will. But it is possible to suggest that prospects of a decent electoral showing for COPE, with its self-imploding organisational structure, perpetual leadership squabbles, and schisms that have given rise to a splinter party (the United Congress Party of COPE under co-founder Mluleki George), seem dimmer than they ever did. George's party, on the other hand, may have its best prospects as a purely regional

and localised political sect with a minimal showing outside of one or two regions of the Eastern Cape, and even then it'll be faced with the monumental challenges of resources, organisation, identity and policy, challenges which Julius Malema's Economic Freedom Fighters won't.

With a discernable emergent political identity with some degree of coherence, well-articulated positions and an identity that ventures beyond one of the key founders (Julius Malema), the EFF is positioned as a radical, if somewhat recidivist project. In reality the EFF is a hodge-podge of different ideological and political strains melding the incendiary politics of 'radical blackness' with the seeming elements of socialism. Seemingly radical in its approach, it is essentially an empty rhetoric captured in the politics of spectacle, where even complex ideas get pared down to mere slogans. Premised on the idea of nationalising the commanding heights of the economy (mines, banks and large factories to rest of us), expropriating and redistributing land seized by "white thieves" in a process of grand theft, without compensation, and distributing unused state land, the supreme unfronted irony is that some of these strategies were part of the policy arsenal of the apartheid era National Party.

Regardless, the issues tabled by the EFF are vital. Some of the most intractable socio-economic problems receive the EFF's attention, notwithstanding that their proposals may have paid little regard to the executive capability, state capacity and policy instrumentality required to achieve them. The second broad problem is that the past behaviour of some of its leaders are questionable in the extreme. Disconnected to current popular struggles in South Africa,

much of what the EFF proposes appears to be masked by perceptions that its policies are a cover for the personal pursuits of some of its leaders. After all, Malema led the ANC Youth League for near on two full terms before he was unceremoniously expelled with little benefit accruing to any significant constituency of the Youth League. Why would it be any different this time round? In any event, the vote pool that the EFF may rely on are the marginal and disaffected youth, with many in that cohort not having ID books and satisfying the rudiments for voter registration. Still, they are likely to gain representation, and with that more forcefully table an agenda that for too long has been blithely ignored.

The credentials and integrity of Agang and Mamphela Ramphele may not have been questionable in the same way that the EFF's leader could have been. But what the EFF has in ideology, identity, coherence and an agenda, Agang lacks. After a hearty public reception, especially from the media, Agang is now struggling to get its star to shine in the political firmament, especially after the botched and short-lived flirtation with the DA. Despite its able and elegant articulation of South Africa's problems, short of a diagnosis Agang is like a doctor that is unable to prescribe a treatment. Likely to attract an aspirational middle- and upper-class vote across race, it is likely to end up being a niche party playing a critical oversight and accountability role, but it is hard to imagine Agang doing much more than this positively. Its negative consequences are that it is likely to further polarise an already fragmented and fractured opposition.

As the best of an otherwise genuinely untested lot, the DA has its own serious shortcomings.

Quite apart from its own policy flip-flops on justifiable race-based black economic empowerment and affirmative action, it is faced with the serious dilemma of defining itself ideologically. Its institutional and organisational establishment shows it to be a model political party with a well-defined decision-making process, regular elections for leadership election and renewal, a constitution its members accept and whose provisions they respect, a raft of well-developed if inappropriate policies, a branch structure and operationally effective caucuses in representative institutions. In government, even with somewhat skewed governance priorities and inappropriate policies, where the DA has won majorities and is in power it governs through processes of decent public management and administration. In opposition it has (modestly) increased its support among black voters. At the same time, however, the DA has also scored some spectacular own goals. In the hurly burly of both government and opposition activity, a critical ingredient giving the DA a vitality and vibrancy it might otherwise deserve appears to be missing. In the most obvious sense, the missing ingredient is a connection to the mass of voters and citizens, and this holds the DA back from what it could be, and what it could become.

So what are the problems? Unlike the ANC, it is not a social movement with deep penetration into societies' grassroots. It has no history rooted in struggle and therefore no automatic claim to legitimacy. The DA, like the ANC, is a broad church in an alliance, as its name suggests. However, unlike the ANC alliance, it does not wield an ideologically disparate set of communists, capitalists, workers and nationalists together under the cover

of “non-racialism, non-sexism and democracy”. Instead, the DA cobbles an altogether more homogeneous group of like-minded people rallying behind “an open opportunity society for all”. For all the ANC’s incoherence it appears strong, but for all the DA’s coherence it is in fact weak in numbers. If the ANC alliance is ideologically diverse and disparate, then the DA can be said to be de-ideologised. To suggest that the DA is decidedly liberal is a misconception. It is anything but. That it is a legitimate political formation is not at issue. That it cannot forge its social legitimacy in the deep cultural roots of the majority in society is at issue.

Bringing up the rear are a host of small, special-interest parties that will essentially be reduced to bit players in the political scheme, few if any exceeding a three to five per cent threshold, and many falling way below that. Most, like the IFP, PAC, UDM and AZAPO, appear to be in terminal decline or localised to the specific regions within which they found their genesis, and may best serve the special interest constituencies they do by aligning with others. The literal springing up of Kenny Kunene’s Patriotic Alliance, while possibly entertaining, is

unlikely to cause any significant waves in electoral support.

Is a grand realignment of the opposition a necessary condition for extracting greater democratic gains or even oversight and accountability? My view is that it is likely to prevent progress rather than promote it. There will be evident difficulties in constructing a common policy platform or a coherent political identity out of a set of unwieldy and disparate special interest parties. Such incompatibilities, though, are likely to be overshadowed at a more basic level by inevitable fractious leadership squabbles, contestation over the distribution of offices and resources, as well as rent-seeking position bargaining. Evidence available thus far demonstrates that working together situationally and contingently may be a better option for opposition parties instead of a grand opposition coalition. The constituent sum of opposition party support is unlikely to be greater than the sum of the bit parts it currently enjoys. There are rumours of eight opposition parties currently in talks, but it may be that they cannot satisfy even the most basic requirement of identity and policy proximity, before any enduring tactical and

strategic insertion into the political sphere.

In restoring the promise of freedom, it seems that ordinary citizens signal quite clearly through the, on average, five acts of direct action and social protest that occur every month, that elections are no longer the sole instrument of democratic political contestation. While nevertheless important as a political instrument conferring the consent of the governed on the governors, the role of smaller parties remains an important part of the political firmament. At the same time the fetishisation of the plurality and diversity promoted by the use of a pure proportional representation electoral system cannot be sustained in the face of the low political, policy and governance impact they have had, and 2014 may be an appropriate time, 20 years into our evolving transition, to seriously consider prospects for some degree of electoral reform.

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FIGMENT OR FRAGMENTATION? – FOCUS ON THE GOVERNING ALLIANCE AND POLITICAL OPPOSITION

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The National Party was the ruling party of South Africa from 1948

to 1994, and the African National Congress (ANC) has been the dominant party since the advent of democracy twenty years ago. The constant refrain that the South African political system is akin to one-party rule is not only

a form of amnesia but is also conceptually and politically dishonest. It is partly a function of a racial or racist logic - according to which the black majority which votes for the ANC does so with its heart while the white majori-

ty that votes for the Democratic Alliance makes choices on the basis of reason and rationality. Put differently, the party system of South Africa will, supposedly, become more competitive when the majority of those who constitute the support base of the ANC switch their allegiance to the rational choice, the DA. Implicit in this notion is the suggestion that effective opposition politics is synonymous with and is, therefore, reducible to the effectiveness of the DA as the only credible alternative to the ANC. At one level, this notion is a function of the single-party dominance of the DA in opposition politics. As Steven Friedman noted during a radio debate, for some the problem is less about single-party dominance in a post-apartheid setting and more about the fact that the 'wrong' party has been dominant since 1994.

Two points are critical therefore, with regard to the points made above:

First, given the historical fact that South Africa has had single-party dominance for the past sixty-six years, can it not be legitimately argued that the South African political system suffers from both the problems of single-party dominance and, more importantly, the absence of a culture of effective opposition politics? Furthermore, what is effective opposition? Is the answer to this question contingent not only on the strategic choices of opposition parties but also on how opposition itself is defined and understood?

Second, is the 2014 election the election that is going to deliver political realignment? One in which the ANC will start losing its grip on power with the result being a competitive party system? Should we rule out the possibility that, even if realignment occurs,

it will deliver a new political order? In fact, such a re-alignment may amount simply to the reconfiguration of single-party dominance, instead of the end of uncompetitive electoral politics in South Africa. This may well be a possibility.

An appropriate response to the questions above must be based on the assumption that the idea of political opposition is broader than the set of political activities, campaigns, strategic and tactical choices of political parties, intra-party and inter-party engagement, as well as the interaction between political parties and citizens/voters which populate the opposition space in particular and the party political space in general. One of the implications of this assumption is that we must accept that the idea of opposition must transcend the confines of both the opposition space and party political space to straddle both the non-party and the party-political spaces. The further implication, therefore, is that, conceptually and as a matter of practical politics, the idea of opposition cannot be limited to political parties and professional politicians. One of the most important implications, however, is the possibility that we must countenance the recruitment or co-option, or attempts to this effect, of actors in the state as a strategic option for actors in both the party-political and non-party political spaces in their attempts to widen the circle of opposition beyond the boundaries of the interests of non-state actors in both the party-political and non-party political spaces. It is in this context that we must try to understand the choices and strategic orientation of actors in civil society, the tripartite alliance and the party political space. This, however, does not tell us what opposition is or even, for that matter, what constitutes ef-

fective opposition.

For historical reasons, the idea of opposition has a very specific meaning in the post-apartheid context. Over and above conceptions of opposition that are part of the liberal-democratic tradition and the adversarial Westminster tradition, the conception of opposition must take into account that the South African democratic project is a product of anti-colonial and anti-apartheid struggles. During apartheid, one of the main contradictions was the tension between the liberation impulse and the anti-liberation impulse. To some extent, opposition to the ANC is still part of the anti-liberation impulse, and this explains, in part, the coincidence between race and voting patterns since 1994. In other words, there is an extent to which the idea of opposition and the practice of opposition politics are informed by the fact that the liberation and anti-liberation impulses are still in opposition to each other. As we mark twenty years of democracy, however, the failures of the ANC and its government, perceived and/or real, have introduced an element of complexity to this tension and, therefore, to the idea of opposition itself. Some dimensions of the idea of opposition are shaped by the misperception that the failures of the ANC constitute everything that is wrong with our post-apartheid condition. But to the extent that the failures of the ANC are an element of objective reality, the opposition impulse is located between the liberation and anti-liberation impulse as well as within the liberation impulse itself. But an important element of the complexity is the fact that some dimensions of opposition are independent of the two impulses.

Given all of the above, we must ask the question – opposition to what? It seems, to me at least, that we must conceive of opposition, among other things, in the following ways:

1) In South Africa the idea of opposition is informed by a clash of world views: one includes a vision of a society that is the antithesis of the apartheid racial content of social, political and economic relations, and this world view is in contradistinction to a world view that coincides with whiteness as the main indicator of privilege, which, as part of our post-apartheid condition, has become part of a logic that seeks to escape the implications of the 1994 democratic breakthrough by entrenching whiteness as the dominant social and economic reality despite the fact that black voters are the main content of the single-party dominance of the ANC. In other words, to the extent that the ANC has always been seen as a threat to this logic of whiteness, voting for the ANC has never been an option for the majority of white voters.

2) Coinciding with this logic is the matter of ideology. While the ANC's position at the centre of the South African political landscape is, in part, evidence of its success when it comes to appropriating policy positions from both the right and the left, especially with regard to what its opponents on the left refer to as its 'neo-liberal' macro-economic policy and its welfarist agenda in relation to the poor who form the bulk of its support base, opposition from the DA is based on the belief that its economic policies are not market-friendly enough, while parties such as the Pan-Africanist Congress, Azanian People's Organisation, Workers and Socialist Party as well as the Economic Freedom Fighters (EFF)

are of the view that ANC policies are not socialist enough.

3) What must not be underestimated, however, is the fact that some of the opposition to the ANC is, across the political spectrum, based on deficits in the pace, scope and quality of delivery. And an interesting convergence has emerged between forces that are both part of the liberation and anti-liberation impulse, as a basis for opposition, with regard to the emergence of a gap between the ideals of the ANC and what it has since become as a ruling party.

4) In the context of the tri-partite alliance, opposition as an internal dynamic is inevitable given the fact that this is an alliance between a nationalist movement, a labour federation and a Communist party. Therefore, it is not surprising that on economic policy in general and the National Development Plan in particular, tensions have at times emerged between the alliance partners.

5) An interesting dimension of internal opposition relates to what, during apartheid, was the broad democratic movement, including the United Democratic Front (UDF). The disbanding of the UDF after the unbanning of the ANC in 1990 was partly based on the idealistic notion that the ANC, as a liberation movement, was an organism genetically predisposed to always act in the best interests of citizens. The gap between myth and reality in this regard has produced another interesting dynamic of opposition politics. The civil society formations and social movements that have come out in opposition to policy and legislative proposals such as the media tribunal and the Protection of State Information Bill almost always have as a component elements that were part of the broad liberation move-

ment.

6) Even more interesting, though, albeit for a brief moment during the period between the 2007 Polokwane conference and the recall of Thabo Mbeki as head of state, is the fact that factionalism produced an element of internal opposition when the supporters of Jacob Zuma in the National Assembly positioned themselves as the opposition in relation to an Executive that was deemed loyal to Mbeki. In other words, the two centres of power that came into being as a result of Mbeki being removed as ANC president and head of state produced another internally oriented dynamic of opposition.

7) Given the fact that Western 'civilisation' and the liberal-democratic aesthetic, particularly the Anglo-Saxon variant, are the main ingredients of our democratic dispensation, it is not surprising that the watchdog role of opposition as a series of duels between the ruling party and the official opposition has become the main content of our parliamentary opposition politics.

8) What is of critical importance, however, is the fact that opposition is not an objective reality. It is the manifestation of a range of subjective interests in the party-political and non-party political spaces which exist both in conflict with, and in support of, one another depending on how opposition is configured, practised and understood.

Whether one agrees or disagrees with these conceptions of opposition as it pertains to South African politics, one also has to consider whether the 2014 elections will deliver both a conceptual reconfiguration of opposition as well as the realignment of the South African electoral landscape.

In the foreseeable future, the liberal-democratic aesthetic will be the main content of opposition politics and politics in South Africa. What remains, therefore, is to examine whether the 2014 elections will deliver political realignment. However, in examining the prospects of opposition parties, this article does not engage in prophesying or predicting the percentage of the vote that will be garnered by different opposition parties.

Since 1994, the alternation between opposition parties with respect to the position of official opposition has occurred only once. It happened in 1999 when the Democratic Party, the precursor of the DA, dislodged the New National Party as the official opposition party of post-apartheid South Africa. It is for this reason that it was argued earlier that opposition politics is characterised by the single-party dominance of the DA. The question, therefore, is whether political realignment will occur to the benefit or disadvantage of the DA, since the dominant assumption is that it will happen at the expense of the ANC. But, what must be borne in mind is the fact that political realignment occurs when a dramatic change occurs in the political system. If the dramatic change must come by way of the ANC losing power at national level, the 2014 election is not going to result in political realignment. The same can be said about prospects for another opposition party dislodging the DA as the official opposition. What can be debated, however, is whether the ANC will suffer a significant erosion of support compared to 2009 and whether, therefore, the DA and the opposition as a collective of opposition parties will make significant gains. If the debates of the past few months are anything to go by, political realignment

will occur if the ANC falls below the 60% threshold at national level.

In this regard, there are only two parties worth mentioning outside the possibility of the ANC suffering a significant erosion in support as a result of the collective gains of all opposition parties that are contesting this year's election, namely, the DA and the EFF. Since the DA has, since 1999, been achieving the same kind of growth, that is, among white voters and so-called minorities in general, it needs to make serious inroads among black voters. The capacity to reach this goal will be limited by the fact that South African elections are, to a large extent, still a racial census. In addition to this, the DA has not been able to strike an electorally beneficial balance between levels of black support that will not be a threat to its traditional support base, on the one hand, and the imperative of keeping traditional supporters within its fold. The real problem, however, is that the DA would be able to abandon sections of its traditional support base if the black vote materialised significantly. This it was able to do during the 2011 local government election in Meyerton, Gauteng, when the leadership of the party insisted that a bust of apartheid architect, Hendrik Verwoerd, should be removed from the offices of the Meyerton municipal offices where this decision was never going to risk its majority in the Meyerton municipal area.

At national level, however, because of the DA's ambivalence towards policy measures such as affirmative action and black economic empowerment, it has now become almost a truism to argue that the black vote is not going to materialise significantly. The DA will most probably grow in the

same way it has been growing since 1999 – mainly among white voters and other minorities. Another challenge the DA is facing is that in both the 2009 and 2014 elections internal ructions in the ANC have produced political opposition parties formed by former ANC members, which parties pose the problem of fighting in the same struggle heritage kraal as the ANC to the disadvantage of the DA. In 2009 the problem was caused by the Congress of the People and in this year's election the EFF will constitute a similar headache for the DA. Since there is nothing to benchmark the EFF against, the most reasonable thing to surmise is that it will be represented in the National Assembly and that it will probably be the official opposition in Limpopo, Mpumalanga or the North West province.

As for predictions that the decision by the National Union of Metalworkers of South Africa (Numsa) not to support the ANC in this election will impact negatively on support for the ruling party, it is difficult to measure the impact of the decision but, in all likelihood, it will be a small component of the reduction in levels of support for the ANC if such a reduction does indeed occur given the fact that the core that is part of Numsa has historically never had a natural affinity towards the Congress movement anyway. What may be of interest is whether the internal battles in the Congress of South African Trade Unions will lead to a split and whether the split, in turn, will produce a labour or workers' party. Whether the formation of a workers' party will lead to the realignment of opposition politics specifically and electoral politics in general will depend on factors including the political forces that will coalesce to form the new party, post the 2014 elections.

FREE STATE

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This contribution focuses on political campaigning, with specific focus on opposition parties and the ruling African National Congress (ANC) in the Free State (FS) Province. Besides the traditional methods of campaigning such as posters, public meetings, door-to-door, and roadshows, technology has become the backbone of the campaigns of the ruling party and major opposition parties in the FS.

An assessment of the election campaigns of a number of opposition parties in the FS shows that the focus is on the failures of the ANC. The most devastating critique thus far against the ANC in the province has been an outcry from opposition parties that the ruling party has been dishing out food parcels, blankets and toiletries at election rallies. This allegation is currently being investigated by the Public Protector.

Political campaigning of opposition parties

The political campaigns of opposition parties in the FS vary tremendously between the different parties. Early in the campaign, the Congress of the People (Cope) was the first opposition party to unveil its election posters. Cope was followed by the Democratic Alliance (DA) and Freedom Front Plus (FF+). Of late, a few posters of Agang SA, the Economic Freedom Fighters (EFF) and African Christian Democratic Party (ACDP) can be seen in the capital city of the province.

The political campaigning of opposition parties has been centred on the weaknesses of the ANC in the province. For instance, the FS provincial government under the leadership of Premier Ace Magashule has over the past few years been making headlines for all the wrong reasons. Firstly, due to alleged poor governance, the national treasury put in place strict monitoring procedures over the provincial treasury, and the department of roads, police, and transport has intervened in a few provincial departments in 2012. Secondly, the national treasury also launched an investigation into the controversial dairy project in which the province invested R570-million. Thirdly, the provincial government awarded a R40-million contract to Letlaka Communications to redesign its website, a job which industry experts state could have been done at a fraction of the cost.¹

Forms of campaigning of opposition parties

During the 2009 General Elections, Cope, as a new kid on the political landscape, managed to erode, though minimally, the support base of the ANC to become the official opposition party in the FS.² Since then, the endless leadership battles within the party, which were arbitrated not politically, but in the courts, has seriously dented its chances to improve on its election performance of 2009. Meanwhile Cope's provincial former leader, Casca Mokitlane, and Gertrude Mothupi, a former prominent member, have defected back to the ANC in the province. Mokitlane blames Cope for failing to connect to communities. Perhaps, the current lacklustre elec-

tion campaign of Cope is indicative of the immediate impact of the defections of these senior provincial leaders. It is thus not surprising that in mid-2013 analysts already predicted that Cope will lose votes in the FS following the party's infighting over leadership positions.⁴

The DA, which has enlisted the services of renowned advertising agency MC Saatchi & Abel to assist with its TV and radio campaigns at national level,⁵ has also bolstered its social media operations in the FS. Thousands of FS voters have been targeted by the DA through SMS messages which ask them to consider the party as their party of choice. This is followed by intimate talks at schools with party members and adverts in the community newspapers. The party's support has been bolstered by the "know your DA campaign." According to the DA provincial leader, the campaign assisted them in changing the negative attitude of associating the party with the National Party. Buoyed by the huge crowds at its rallies in the province, the DA is cautiously optimistic about its performance in the forthcoming elections. Another strategy used by the DA in the province is to use its national leader, Helen Zille, at provincial rallies. She has called on residents of the Free State to vote for her party as "the DA is the only party big enough to challenge Jacob Zuma's ANC dominance in the Free State."⁶

The vote-wooing tactics of smaller opposition parties such as FF+ and ACDP have largely revolved around posters on lamp posts, public meetings and the distribution of leaflets. Agang, on the

other hand, recently joined the Unemployed Voters Organisation's march for service delivery in Bloemfontein. This was the Agang SA leader's fourth visit to the FS, showing her willingness to participate in the final push to garner support and swing undecided votes.⁷

Expelled from the ruling party in 2012, Julius Malema, the former ANC Youth League president, heads a party, the Economic Freedom Fighters (EFF) that seems to be the ANC's biggest opponent going into the 2014 provincial elections. Malema has visited the province several times, attracting huge crowds at rallies in Bloemfontein, Botshabelo, Thaba Nchu, and Welkom. The main focus of the party has been on the hopelessness and anger of the unemployed youth. In addition, the party has also been using direct contact with voters in the form of door-to-door campaigns and spending a lot of time talking to commuters. According to the EFF national co-ordinator Mpho Ramakatsa, the party is confident of toppling the ANC in the FS. This is a concern shared by the ANC provincial general secretary, who noted that the EFF is taking young people away from the ANC and should not be underestimated.⁸

Media coverage of the political campaigns of opposition parties

Opposition parties in the FS have been receiving a substantial portion of media coverage from both the national broadcaster's TV and radio stations. Similarly, influential community and regional print media have also covered much of the campaigns of opposition parties. It appears that most of the media attention on opposition parties has been on the visits of national leaders of the different

parties and less on the campaigns of the parties in the province. Interestingly, though, most of the media coverage is unrelated to the key policy issues of the parties. The DA seems to be the only opposition party in the FS that has increased its media coverage due to its continued critique of ANC provincial government's failure to deliver a better life for all. The DA also received wide media coverage for promising FS voters that it will save the province from corruption and to what the ANC leaders failed to do: to uphold the values of the Constitution. It is still to be seen what the impact of such media coverage will be for the election campaign of the DA.

Political campaigning of the governing party

The FS has been one of the ANC's strongholds since the dawn of democracy in 1994. In fact, the ANC in the province is important for the party's performance nationally. It is also in this province where the party has been dogged by intense faction fights. This, in addition to the onslaught from opposition parties, has hardened attitudes within the ruling party.

Against this backdrop, members of the ANC continue to stand firm behind the party leaders. As the criticism against the party and the provincial government intensifies, it is remarkable that an oasis of tolerance characterises the current atmosphere within the party. Party insiders believe that this is largely due to Ace Magashule's efforts. He has lately apparently been reaching out to all members of the party, including calling upon those members who left the party to return. It is astounding that this clarion call has already led to the return to the party of once hardened critics of Magashule, including Mxolisi Dukwana. Dukwana was part

of the so-called Regime Change faction within the ANC.

Forms of political campaigning of the governing party

The ANC's presence is spread widely through all the towns of the FS due to its strong national footprint. The party's election machinery includes both traditional methods such as door-to-door campaigns and handing out of T-shirts at rallies, as well as advertisements on taxis and hosting fundraising events such as banquets and car washes. In defence of the performance of the ruling party in the province, Bulwana stated that some of the accusations against it are politically motivated.⁹

The FS ANC's political campaign started in earnest after the publication of its candidate list. The party adopted the slogan 'Forward to 85% ANC Victory, all forces on the ground' while continuing to work closely with civil society organisations. The party has so far managed to counter the claims of opposition parties that decry the high levels of unemployment, corruption and poor service delivery. The overarching strategy has been to one of accepting its faults, but also indicating that the party has a plan to resolve the current challenges it faces.

The provincial campaign of the ruling party has been further bolstered by visits by the National Executive Committee (NEC) of the ANC. Various NEC leaders engaged with communities on the significant successes achieved together as part of the 20 years "good story to tell" narrative.¹⁰ This campaign was followed by the visit of President Jacob Zuma. Zuma's visit coincided with door-to-door campaigns, meeting with elderly people, a

youth rally and a gala dinner in honour of Solomon Mahlangu. The party stepped up its election campaign by hosting a minority rally targeting coloured and white communities.

Fracture and opposition in the governing party in the FS

The ANC in the FS, as elsewhere in the country, has a history of factionalism and internal competition. There also seems to be widespread despondency and uncertainty among party members about senior appointments made in provincial departments without due processes being followed. According to party insiders, jockeying for positions in the ANC and provincial government has already started, and this could be partly ascribed to the proportional representation party system. Generally, though, the ANC is facing the forthcoming elections without any major rifts between the main factions in the party.

Media coverage of the political campaigns of the governing party

The ANC's election campaign in the FS has received significant coverage and elicited the expected accusation of bias from opposition parties. There seems to be a co-ordinated plan to raise the visibility of the party. The party is making use of radio advertisements and will also host several

public lectures. This includes the Chris Hani Memorial Lecture, where Police Minister Nathi Mthethwa acted as guest presenter.

Conclusion

The main election campaign strategy of the opposition, as expected, is focused almost exclusively on criticising the ANC. I find the inability of the major opposition parties in the FS to communicate why their parties represent the aspirations of FS voters to be most disconcerting. It is just not enough to make bold statements such as "Vote against Nkandla" or "Vote out corruption" without presenting alternative approaches that are attainable. A major boost for opposition politics in the province is the emergence of the EFF. Despite its limited budget, there is no doubt that the EFF will play a significant role in the politics of the FS after the May 7 elections. It is thus not surprising when the ANC's provincial secretary states that the EFF should not be underestimated, but that "all the political parties in the Free State are just talking, but they are not on the ground I only see them in the media."¹¹

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NORTH WEST

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Campaigning

Opposition

This section pays attention to the DA and the EFF, since these

seem to be the two parties realistically competing for the position of official opposition in the North West Province. Opposition in the North West was handed lots of ammunition after several violent

service delivery protests and allegations of corruption in several municipalities. The choice the opposition has to make is how to use the ammunition. The DA has shown steady growth in the North West Province since 1994. It has the advantage that it is governing the Western Cape Province and thus has a governance track record to campaign on. The party has taken the role of oversight seriously and has effectively pointed out the shortcomings of the current governing party. However, the DA appears to have chosen a predominantly negative campaign in terms of focusing largely on the governance weaknesses of the ANC, instead of on its own message and offering. The ANC and its failures are getting more attention than the DA's governance achievements and manifesto in the current DA campaign.

The DA has nevertheless embarked on a grassroots campaign in the North West Province. It has had rallies in the Barolong Ba-Ga Bodiwa chieftaincy in Bodibe in North West near Mmabatho, where it claims to have gained 500 more supporters, mostly defectors from the ANC, according to Helen Zille.¹² Chief Keorape-tse Motlhako says his tribe has lost confidence in the government and stated:

“We made that decision because the ANC government has failed us. We have tried to engage the ANC in the matter of land disputes and Chieftaincy. So at the end of the day we have tried from 2001 up until 2012 and we couldn't receive any help from our government”

The DA has also indicated that it will meet with former Bophuthatswana Bantustan leader Kgosi Lucas Mangope of the

United Christian Democratic Party (UCDP). The UCDP was founded by Lucas Mangope and was the Governing party in Boputhatswana. Mangope was expelled by a newly elected party leadership in 2013. Those unhappy with this decision have been defecting to other parties, and the DA says that it has welcomed over 200 former UCDP members into its fold. The UCDP has two seats in the provincial legislature, but support has been dwindling and prospects for the upcoming elections look bleak.¹³

Such ‘victories’ are bound to be important to the DA in its effort to create the image that they are accessible to black communities. The activities by the DA leader Helen Zille during the rally and ceremonies in the Bodibe village created some controversy. Pictures were posted on social media of her arriving at the rally in a donkey cart, and later stirring a traditional pot wearing a blue dashiki and matching headscarf (kopdoek). Critics said she tried too hard, while others praised her for respecting tradition.¹⁴

This kind of campaign where candidates show solidarity/respect to voters by participating in some of their daily activities is nothing new in countries like the USA and Britain, but South Africans, it appears, have had mixed feelings. Those who are supportive of the DA suggest that this is a demonstration of respect and attempt to honour local cultural traditions, whilst critics interpret this as insincere “electioneering”.

The EFF has made it very clear that the North West Province is a point of focus in their campaign and have identified the North West as a large pocket of support. The campaign the EFF chose is also one of scathing criticism against the ANC, with a major fo-

cus on unemployment. Since Julius Malema has shown solidarity with the mine workers plight after the Marikana massacre, the EFF was launched in Marikana. The EFF has campaigned in mining compounds and hostels where discontent with the ANC is rife. In its manifesto the EFF has made populist promises which resonate with the unemployed in the North West.¹⁵ The EFF said that it planned to be present ‘at every possible funeral, party and wedding to engage with communities’. According to the convenor of the Marikana branch their supporters take part in “Red Friday” gatherings every week clad in full EFF regalia.¹⁶ The red shirts and red berets are visible and an effective way to recognise EFF campaigners, called fighters.

A challenge to the campaign is Julius Malema's tax and criminal charges. The EFF campaign has to adjust and attempt to distance the party from its leader's alleged indiscretions. The party has recruited young professionals with post-graduate degrees into its ranks. Although the EFF claims to speak for the unemployed, it does not want its supporters to be seen only as ‘uneducated, unemployed and stupid’.¹⁷

The EFF has embarked on a door-to-door campaign and has hosted large rallies and community meetings. It has also organised protest marches such as the one to the Moretele local municipality (Makapanstad).

Both parties realise the importance of social media in this election. They have twitter and Facebook accounts which are used quite effectively to spread party messages and keep potential voters and supporters up to date with upcoming events. Both parties use highly visible posters, billboards and stage regalia

during rallies. The DA has been using state of the art audiovisual equipment to play election ads and introductions during rallies. Both parties have also taken to attending church and other religious services in the communities where they campaign.

Governing party

South Africa is celebrating 20 years of democracy. This was

supposed to be the ANC's biggest trump card on the campaign trail as 'liberators' of the people kicking off their national campaign under the theme "Together we take South Africa forward" as well as the campaign payoff line, "We have a good story to tell".

The ANC in the North West Province has experienced difficulties with factionalism and violent service delivery pro-

tests. Accordingly, on 17 February 2014 the ANC announced that it would be travelling 'the length and breadth' of the North West Province for its Nineteen Days of Revolution/Setsokeosane Campaign. Setsokeosane means 'whirlwind'. This campaign in the North West runs along with the national phases identified by the ANC:

Phase	Duration	Concludes	Main Tasks
Lay the foundation	5 Months	July 2013	Prepare campaign structures
Back to the people	7 Months	August 2013 to launch	Door-to-door work, report to the people
Mayihlome	8 weeks	9 April 2014	Popularise the ANC Manifesto. Identify our voters
Siyanqoba	3 weeks	30 April 2014	Dominate media with positive messages. Arrange to get ANC voters to voting stations
Election week	1 week	7 May 2014	Final rallies. Get the vote out. Monitor processes

Source: SADTU http://www.sadtu.org.za/docs/pe/2013/anc_election_manual.pdf

The aim of the current Siyanqoba phase is to listen and give feedback to the people. The Setsokeosane campaign seems to facilitate these aims in the North West Province, but with a specific aim to talk about the ANC's service delivery record since 1994, in an attempt to unify the ANC in the province. This campaign is supposed to highlight the ANC's achievements as well as challenges. In addition to this, the ANC included the 'popularisation' of the ANC Election Manifesto as a priority. This campaign includes a door-to-door approach and walks about in public areas such as taxi ranks, shebeens and churches. The ANC provincial chairperson explains the phases of this campaign as follows:

"... the Setsokeosane concept document, the first phase of the programme contained

amongst others, the establishment of elections structures, as espoused in the Election Manual.

The second phase of the Setsokeosane programme, highlights the processes, analyses the collected data and helps in the interpretation of the voting data. Our watertight process and the voter's roll analysis, in the Ngaka Modiri Molema and the Dr Ruth Segomotsi Mompati District confirms that the ANC structures and voters are solid and combat-ready for elections.

Whilst we proceed with our programme to visit Dr Kenneth Kaunda and Bojanala districts, the programme will steamroll to the Siyanqoba election phase

and ultimately, the elections."¹⁸

As with previous elections, the Siyanqoba phase is the culmination of the ANC's countrywide campaign, which will end with a rally at FNB stadium on May 4th. President Zuma is scheduled to address this rally (Julius Malema also addressed this rally back in 2011 when he was still President of the ANCYL).

The governing party has made use of the normal election media such as posters and flyers. The ANC is active on social media platforms such as Twitter and Facebook. Its website is more user-friendly than most other parties and contains a wealth of documents.

Service delivery protests and the publication of the Nkand-

la report by the Public Protector have changed the ANC's campaign. The ANC was set to run a positive campaign focusing on its achievements. In the North West Province, like in every other province, officials and delegations campaigning in the province must answer difficult questions about Nkandla and corrupt officials. Protesters in Zeerust and Bloemhof, specifically, blamed corrupt officials for the lack of service delivery they experienced. With the EFF in the picture with a message that seems to resonate with the vast numbers of unemployed and poor people in the province, the ANC provincial government in North West has to try to put divisions aside amidst these conflicts. On

one hand the ANC has to run its campaign and restore the trust with its voters. On the other hand it has to restore peace in certain protest areas while spreading a message of no tolerance of violence and destruction of property from protesters. And it will have to seriously consider decisions such as redeploying discredited cadres like Maphetle Maphetle (former mayor of Tlokwe) to the provincial legislature. Negative perceptions the ANC is trying to reverse in its campaign will only be reinforced by such decisions.

In spite of these challenges the ANC has embarked on the door-to-door campaign one town and village at a time. It is projecting an 80% victory in North West.

With the EFF in the picture and the DA showing some growth such a victory seems unlikely. The ANC is however likely to still win the North West Province with a comfortable victory.

Media Coverage

North West Province is served by national broadcasting and print media such as the SABC, eNCA, and Media 24 newspapers. There are several regional radio stations and newspapers serving the people of the province. The following tables give a glimpse of the kinds of community papers and radio stations operating in the province, the areas they serve and their focus on politics.

Newspapers

Newspaper	Area Served	Political coverage
Zeerust News	Zeerust, Lehurutshe, Botswana; Jwaneng, Lichtenburg, Groot-Marico, Mahikeng, Nietverdiend, Skuinsdrift	Eng/Afr. Community news, crime, very little politics. Available online.
Overvaal Newspaper	Klerksdorp, Christiana, Wolmaranstad, Hertzogville, Schweizer Reneke, Wesselsbron, Bloemhof, Witpoort, Bothaville, Vryburg, Reivilo, Leeudoringstad, Ottosdal	Free paper. Eng/Afr. Community news, advertisement, no politics visible. No website. Electronic version available on Facebook page.
Potchefstroom Herald	Potchefstroom	Eng/Afr. Mooivaal Media Group with Media24. Local news. Has a section focusing only on voter education i.e. where to vote etc. Some commentary on local politics. Available online and has a mobi site.
Mafikeng Mail	Mafikeng	English only. Local and national news. Editorials covering political news – e.g. service delivery protests in the province and elsewhere. Available online.

Radio

Station	Audience	Political coverage
PUKfm 93.6 fm	± 2000, Potchefstroom – 50% Eng. 40% Afr. 10% Setswana	Political interviews with local politicians.
Radio Mafisa 93.4 fm	±100 000 Targets Setswana speaking listeners aged 18-35. Rustenburg, Hartebeespoort, Magaliesburg, Swartruggens, Ventersdorp, Ga-Rankuwa	Focus is music. Some political commentary.
Motsweding FM 87.9 – 107.9	SABC station, covering the entire North West, Northern Cape, Gauteng and Free State. Based in Mahikeng. Targets Setswana audience.	Lots of political news coverage and talk shows. Interviews with politicians such as EFF Premier Candidate Motsi earlier this year.

Opposition

Both the EFF and DA's North West campaigns have received media coverage from national television, online and print media. The SABC, eNCA and ANN7 have reported on the DA's Bodibe campaign and the controversial pictures mentioned earlier. The EFF got national coverage for its rallies in Mafikeng, and about EFF supporters complaining about lack of service delivery during service delivery protests in North West.

Local newspapers are not as keen to venture into hard political reporting, despite the impact of service delivery protests and the like. Some editorials had some political commentary (for example, the Mafikeng Mail) without providing new insight into specific provincial issues.¹⁹

Most national newspapers have grouped provincial news under the heading of each province to make access to regional news easier. The SABC and New Age have done this well.

Governing party

The ANC's campaign in North West has been getting attention in national news. The SABC reported on President Zuma leading the campaign in the province in March 2014. The campaign start-

ed in Potchefstroom a day after the Public Protector's release of the Nkandla findings. The headlines reiterated that Zuma 'will have to convince the traditional leaders and other residents of Potchefstroom that the ANC can still deliver a better life for them'.²⁰

The ANC has received very negative news coverage because of the violent service delivery protests in the province (Bloemhof, Zeerust, Brits). The provincial government under leadership of Premier Thandi Modise had to embark on serious damage control in these areas. The attempt was to be seen to come down hard on lack of service delivery by local authorities, show (sometimes unwelcome) sympathy with residents but to also speak against violence and destruction of property. The governing party has had difficulty creating the perception that it was successful in its handling of conflict situations where it is solely blamed for residents' unhappiness.

SABC has involved party representatives of the ANC, EFF, FF+ and EFF in a string of debates initiated by Radio Sonder Grense (RSG). These debates are taking place in all provinces running up to the elections. The debate in North West took place in Potchefstroom. While province-specific concerns in the North West

were neglected in these debates, which were subsumed in the "blame game" played by party representatives, it did insert the province into the national political discourse. Striking a balance between national concerns and province-specific issues would be the ideal point of departure for these debates.

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GAUTENG

Waseem Holland, Independent Researcher

Gauteng is the wealthiest province in the country with the largest population. Being the "powerhouse" of South Africa's and indeed Africa's economy means that issues around economic development and transformation are crucial to parties' campaigns in the province.

ANC Campaign

Gauteng is the province where transformation is very visible, and the province where broad-based black economic empowerment is tangibly identifiable by the fact that Gauteng has the largest proportion of the black middle-class, compared to other provinces. The transformation and development of South Africa's most well-known township, Soweto, is testament to the ANC's economic successes and perhaps a worthy source of ANC plaudits. The construction of a relatively well functioning modern transportation system, Gautrain, is another demonstrable effect of public private partnerships working for the modernization of the province.

According to the ANC Gauteng Province Election Manual, the ANC campaign is focused on being visible on the ground within communities that are traditional supporters of the party, as well as venturing into areas that are not necessarily ANC "strong-

holds".²¹ Unlike the DA and EFF, the ANC has not revealed its candidates for premiers in the provinces, so is not relying on individual representatives to be the faces of their campaigns in the provinces. The ANC has a strong reliance on campaign teams that conduct door-to-door campaigns in a personalized, face-to-face way. Door-to-door work is the main component of ANC election campaigns where they meet voters to find out who they support. If these people are ANC supporters, then the team makes sure that they are in possession of a valid ID document and that they have been registered to vote. This information is recorded on the system. The ANC election campaign occurs in five phases. Phase 1, called "Lay the Foundation", was conducted from February to July 2013, and is a preparation period for campaign structures. Phase 2, called "Back to the People", was conducted from August to December 2013, and used as a platform for interface between campaign teams and voters where the party reports back to communities, engages with voters and addresses any problems community members may have. Phase 3, Mayihlome ("Prepare for Battle"), from January to April 2014, is the period where campaign teams that are now in possession of the election manifesto are able to engage comprehensively with voters through the framework set out in the manifesto. The work in this period is aimed at popu-

larizing the manifesto as well as launching all forms of campaign advertising. Phase 4, called Siyanqoba ("We are winning"), from April to the 24 hours before election day, is broadly focused on building enthusiasm for the election. In this phase all public representatives of the ANC will be deployed on campaigns on a fulltime basis. Finally, the last phase, called election week, is focused on the deployment of party agents and election observers to all polling stations across the country on election-day.

The 20 years of Democracy theme is clear and visible in the ANC's campaign. The "good story to tell" narrative remains the predominant feature driving the ANC's current election campaign. The ANC has tended to almost ignore the opposition parties and dismissed their presence as a mere formal requirement in the process of multi-party democracy. The ANC campaign is geared towards a focus on what it has achieved and the celebration thereof, not the weaknesses and shortcomings of the opposition parties.

Opposition Campaign

The DA has never governed Gauteng, but only specific wards and districts within the province. It is therefore unable to tap into the kind of narrative that the ANC is able to. Because the DA is unable to reach all citizens with the

merits of its proposed economic policies in its manifesto, its attacking the ANC is unsurprising as it seems the easiest strategy to fall back on.

In November 2013, the DA launched a campaign that focused on the generally disliked E-toll system. The campaign posters read: "A Vote for the DA is a Vote against E-tolls".²² The billboards, placed on the major highways in the province, ridiculed the ANC for the construction of the E-toll system as well as the many problems associated with electricity that have recently been in the spotlight in the province. The visible component of DA election campaigns (posters) has always been strong and clear, with bold writing and a clearly defined message. The new campaign posters, however, are confusing and it is difficult to extract the nub of the message. The difficulty is created by the DA having both vernacular and English writing on its posters.²³ This difficulty is driven by the fact that the DA is, as ever, attempting to expand its sphere of support into the black African electorate while trying to make certain that it does not alienate its traditional support-base.

In this year's election-period, the DA campaign began strongly with a focus on unemployment and the economy, which was exemplified by the March to ANC headquarters under the banner "Real Jobs". However, the DA has fallen into the same pattern as it did in previous elections with an apparent preoccupation with attacking the ANC in general and Jacob Zuma in particular. Though it is natural for parties to campaign on the basis of pointing out weaknesses and inadequacies in incumbent parties, a sole pre-occupation with negative campaigning can prove to be both counter-productive as well as socially explosive. The DA's

offerings in their manifesto have not in reality received much coverage and at its campaign manifesto launch in Limpopo, the party was caught in a reactive mode. Having a narrative imposed upon them, the key messages at the DA's campaign and manifesto lunch centred around three key messages:

- a. That after ANC leaders on the campaign trail suggested that the DA would bring back apartheid if elected into power and that the DA would not (and because of the Constitution could not) do so since as a party it was never in favour of apartheid
- b. That it supported social grants and the welfare system and was not in favour of reducing either the number of different grant types or the amount, and
- c. After ambiguous messaging about black economic empowerment, it announced that it supported the idea in principle while seeking to improve its operations and outcomes. Little else of what was contained in the DA manifesto was part of the key messages at the manifesto launch.

Having a narrative imposed upon it, the DA was caught in a reactive mode rather than in a proactive campaign.

Gauteng seems to be the most significant province in the DA's election campaign. This is reflected by the fact that its national spokesman Mmusi Maimane is the DA's premier candidate for Gauteng Province. Ironically, Mmusi Maimane, while being the embodiment of the DA's newfound campaign strategy, could also be viewed as an embodiment of ANC successes. A young black man from Soweto, who is the child of a cashier and a factory worker, was able to be successful in the face of the

legacy of apartheid. This may explain some of the pronouncements made by Maimane in the lead-up to the 2014 elections. In a speech at Walter Sisulu square in Kliptown, Soweto, at the launch of the "Believe in Change" campaign, Maimane paid homage to former liberation leaders like Albert Luthuli and Oliver Tambo, who of course came from the ANC. He has on numerous occasions also expressed admiration and support for Thabo Mbeki, an ANC president. The focus of the DA's national campaign and indeed the Gauteng province is reflected in the speech where Maimane talks about the way that the former President Mbeki "saved" the South African economy.²⁴

The crucial part of the speech that directly reflects DA strategy in Gauteng and Maimane being the embodiment of that strategy, is where Maimane explains that he supported and voted for the ANC previously but has recently become disillusioned with the party. It seems the message the DA want to project is that the black middle-class and black voters in general in the province must acknowledge the achievements made by the ANC in the liberation of the country and the subsequent economic development that took place under the Mbeki administration, but these achievements are supposedly being eroded by the current Zuma administration. This kind of campaign reasoning is elaborated in the DA's "Ayisafani" television campaign, which is meant to convey the message that the ANC "has changed". The reverence for Mbeki is also in stark contrast with the vilification of Zuma, which was expanded on when the DA sent a million Gautengers an SMS stating that Zuma stole citizen's money in the upgrade of his private home at Nkandla.

The EFF campaign has several interesting characteristics. The leader is charismatic and the identity of the party remains intertwined with the identity of the leader. Therefore, unlike most of the DA or ANC posters that you will see, most EFF posters have the image of party leader Julius Malema.

The EFF's manifesto indicates that its ideological stance is markedly different to other prominent opposition parties (DA and Agang) in this year's elections. Following from this, the EFF's campaign strategy has been clearly focused on the working class and issues of economic failures of ANC policy from a pro-poor perspective.

Dali Mpofu has been positioned as the EFF's remier candidate in Gauteng. Dali Mpofu is probably the highest-profile EFF member apart from the leader and is also himself a defector for the ANC. This, as with the DA, shows that the EFF has identified Gauteng as the most important province in which it will be competing. In a speech made at the EFF Gauteng election campaign launch on 4 April 2014, Mpofu set out the central tenets of the EFF's plan for Gauteng Province. This is centered on job creation and the reduction of inequality. The following quote exemplifies the kind of strategy that the EFF has undertaken during its Gauteng campaign, which is directed as an indictment of ANC economic policies that have served to deepen inequality: "There is no province in ... South Africa which demonstrates the problems of the country more than Gauteng; poverty and squalor sit side by side with opulence".²⁵

Media Coverage

A scan of the print media in the province indicates that the coverage of the election period has been

balanced by and large. The ruling party and opposition parties have received similar amounts of coverage in the media.

The depth of the coverage of the election period has not been good, however. The media have seemed overly focused on sensationalistic stories that do not consider the substantive differences in policy, approach, ideology or party orientations between the different parties but appear to focus on confrontational interactions between parties. For example, the DA march in the Johannesburg CBD on 12 February, which was conducted in opposition to the ANC's proposed expansion of the public works programme that is meant to create six million job opportunities, was covered only from the angle of the violence that ensued from the march. The DA's claim that the proposed expansion does not guarantee job creation but merely an expansion of short-term work and government economic dealings exclusively, was completely overlooked. The discourse that may have been able to be generated as a result of a better-quality media coverage of the merits of this policy debate would have gone a long way to informing the electorate.

The public broadcaster, the South African Broadcasting Commission (SABC), has recently been shown to be biased towards the ruling party. The DA "Ayisafani" television campaign was pulled from being aired on the SABC because the broadcaster claimed that it incited violence. The advert shows DA premier candidate Mmusi Maimane talking in the mirror about how the ANC has changed from its former glory days. In the advert, Maimane talks about several things that have gone wrong with the ANC and South Africa in general, which includes the gross overspending on the upgrades at Nk-

andla and the perceived increase of police brutality in recent times. The DA applied to the Independent Communication Association of South Africa (ICASA) to appeal the SABC's decision to remove the advert. ICASA subsequently ruled in favour of the DA. On 25 April, however, the South African Police Services also laid a complaint with ICASA about the content of the advertisement, claiming that part of its visual content incites violence against the police.

END NOTES

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- ²⁴ Mmusi Maimane, DA Premier Candidate for Gauteng Speech (2 November 2013), <http://da.org.za/newsroom.htm?action=view-news-item&id=13098>
- ²⁵ South African Press Association, "EFF launches Gauteng poll campaign". Independent Online, (4 April 2014). <http://www.iol.co.za/news/special-features/eff-launches-gauteng-poll-campaign-1.1671532#.U1eu8qI8GM8>

EASTERN CAPE

Malachia Mathoho; Musa Sebugwawo, Lashiola Kutya and Stephen Shisanya – Afesis-cor-plan

Political campaigning by opposition parties

On 7 May 2014, South Africans will be going to the national polls for the fifth time to elect the national and provincial governments. All political parties that are registered with the Independent Electoral Commission (IEC) to contest the national and provincial elections are campaigning. The key message among almost all parties is a promise to provide better governance than the one offered by the current governing party, the African National Congress (ANC).

While democratic elections are still relatively new in South Africa, Norris (2004)²⁶ argues that there is widespread agreement that the process of election campaigning, particularly the roles of parties and the news media, has been transformed in recent decades. One of the most common observations heard in popular commentary, and widely echoed in the political communication literature, is that in recent decades many established and newer democracies have experienced the Americanisation of election campaigns. Norris goes on to categorise campaigns as taking three forms: pre-modern, modern and post-modern campaigns. The pre-modern campaign is defined as a campaign that is based upon direct forms of interpersonal communications between candidates and citizens at local level, with short-term, ad-hoc planning by the party leadership. Pre-modern campaigning originated in 19th century democracies with the expansion of the

franchise, and continued in recognisable form in most post-industrial societies until at least the 1950s. The modern campaign is defined as one in which a party organisation is coordinated more closely at central level by political leaders, and advised by external professional consultants like opinion pollsters. Post-modern campaigns are understood as those where the coterie of professional consultants on advertising, public opinion, marketing, and strategic news management become more co-equal actors with politicians, assuming a more influential role within government in a permanent campaign, as well as coordinating local activity more tightly at the grassroots (Norris, 2004).²⁷

Rather than claiming that all campaigns are inevitably moving into the post-modern category, this view emphasises that contests can continue to be arranged from the pre-modern to the post-modern, due to influence of a range of intermediary conditions such as the electoral system, campaign regulations, and organisational resources (Norris, 2004).²⁸ However, as the argument by Norris suggests, South African political campaigns cannot claim to have adopted any single form of the above campaigns as a form of election campaign. South African political campaigns across provinces include both the pre-modern and modern forms of campaigns.

The Eastern Cape province of South Africa is the third-largest province in terms of the IEC voters' roll, with 3.24 million voters, a 24.53% increase from the 1999 voters' roll.²⁹ The province is largely rural with a high level of poverty and illiteracy, and political parties do not have easy ac-

cess to recruiting voters outside urban areas as compared to other provinces around the country. Like their national counterparts, opposition parties in the Eastern Cape are also centring their campaigns on the weaknesses of the ANC's governance record.

Media coverage

This section discusses the role of the print media – that is, the local newspapers in the Eastern Cape Province – in covering party campaigns, focusing on both the governing and opposition parties. It also looks at the outdoor media, namely party posters and billboards. The media has a strong effect on educating as well as an influencing role when it comes to persuading and manipulating public views, be it political or any other issue. In the Eastern Cape Province the print media appear to have allocated dedicated columns for political news. These columns report on political party campaigns and general political news that is regarded as topical to EC audiences. For instance the Daily Dispatch confirmed that it has dedicated page 4 to political news, and the main headline (being the front page) is open for any topical story regardless of the focus as long as it catches the audience's attention.

In an article published in the Daily Dispatch³⁰ on 11 February 2014, it is clear that all media houses, including the television (Bay TV), newspapers (The Herald) and radio stations (Algoa FM), clearly state that they are against allowing party campaigns in their offices.

In a telephone interview, The Herald political editor, Nwabisa Makunga,³¹ stated that the newspaper dedicates page 4 to polit-

ical news and their journalists always try to report on any party campaigns taking place. When asked about the percentage allocated for each party, Makunga remarked that it depends on the news of the day and how much space they have left for the column. The Herald editorial policy promotes fairness and equal representation of any party, and it should be noted that The Herald is not aligned to any political party. In conclusion, Makunga acknowledged that the parties that make headlines almost on a daily basis (in order of prominence) are mainly the ANC, DA, COPE, and EFF, followed by AGANG and the PAC.

Overall, parties received coverage in print media because of their ability to generate 'news' and not because sections of the media were bent on promoting 'their' party. Evidence suggests that the well-resourced and well-supported parties increase their dominance of media coverage through their ability to advertise extensively in print, radio and the outdoor media. In a telephone interview with the Daily Dispatch personnel,³² they stated that parties are allowed to use the paid-for advertorial space only for announcements; thus any negative statements against other parties is strictly prohibited.

The ANC, DA, EFF, COPE and AGANG are making more headlines even on news websites such as the ENCA, SABC³³. ENCA³⁴ reported on its website that on the weekend of 13 April parties were campaigning intensely in the Mthatha area. It states that "On Friday President Jacob Zuma opened a new water project in the area, on Saturday EFF leader Julius Malema held a rally in East London, and on Sunday it was the turn of the DA".

Across the world, citizens are increasingly relying on the media

as a primary source of political information and less on other sources – for example, the family, community and other intermediary organisations (Mughan and Gunther 2000). The media play a very crucial role in election campaigns. This role includes: the provision of information to voters to enable them make informed decisions; provision of a platform for debate through allowing exchanges of opinions among the different contending groups and citizens. The media's role also includes that of acting as a watchdog for fairness during election campaigning and providing a voice to the voters³⁵ (Davis 2004).

The Eastern Cape Province is characterised by a vibrant media sector. The television sector is made up of the public broadcaster, the South Africa Broadcasting Corporation (SABC), ETV (ENCA news) and Port Elizabeth-based Bay TV. The radio sector, which is the biggest broadcaster in the province, comprises the SABC radio stations (including Umhlobo wenene, Tru FM), private radio stations (Algoa FM, etc.) and a host of community-owned radio channels spread throughout the province.

To ensure that the interests of the public are catered for and that fairness and a reflection of diverse and representative views of the public are represented in the media, the Independent Communications Authority of South Africa (ICASA) was established. ICASA's election responsibilities include regulation of political advertising and election broadcasts during an election period. The election period starts with the submission date of the party lists to the IEC and ends 48 hours before the start of voting. During this period, all political parties have to be treated on an equal basis in regard to the time allocated to party political broadcasts and

advertising.³⁶

In a discussion with Umhlobo wenene FM current affairs manager, Fezile Mponzi, about coverage of the governing party election campaigns, he noted that his station follows guidelines set by ICASA while conducting a political debate series which focus on key election issues. In such debates, all political party representatives are given equal time and space.

The scenario is different with the print media. For example, according to Daily Dispatch newspaper political editor, the paper covers newsworthy election campaign stories without necessarily focusing on a single political party. However, a closer look at political campaigns and media coverage reveals that the ruling party, the ANC, easily attracts more media attention and coverage not only from the public broadcaster, but from the private media houses as well.

END NOTES

²⁶ Norris, P, 2004, The evolution of election campaigns: Eroding political engagements? Harvard University, USA

²⁷ Ibid

²⁸ Ibid

²⁹ <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=560298&sn=Detail> accessed 16 April 2014

³⁰ Mkhululi Ndamase. "Editors reject ruling party's bid to campaign in newsrooms". Page 4. Daily Dispatch, Tuesday 11 February 2014.

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³² Telephone Interview with Daily Dispatch Political Editor Mr Zuzile (Friday 11 April 2014)

³³ SABC News website <http://www.sabc.co.za/news/politics> Accessed on 17 April 2014

³⁴ ENCA News <http://www.enca.com/elections-2014-south-africa/political-heavyweights-set-sights-eastern-cape> Accessed 17 April 2014

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LIMPOPO

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The experience of the last four general elections demonstrates that Limpopo has been the ANC's stronghold: it is the province in which the party has consistently secured the highest share of votes. The picture of Limpopo as a province where the ANC is almost unassailable has inadvertently shaped the patterns of campaigning by opposition parties. Opposition parties do not allocate their campaign resources across provinces equally. Thus, parties devote resources in proportion to their perceived opportunities to succeed in attaining votes in a province. Even when parties declare during campaigning that they are campaigning in all provinces equally, the reality of resource constraints compels parties to avoid devoting resources to provinces where they do not in reality stand a good chance of attaining a significant number of votes.

Following this line of reasoning, opposition parties would not spend much of their resources in Limpopo province when it comes to campaigning for the May 7, 2014 elections. This is simply because the ANC is much stronger in Limpopo, as the previous pattern of results indicates. The Limpopo and Mpumalanga provinces remain the two provinces where the ANC has been able to attain an average of 80% per cent of electoral share of votes.

It is only in Limpopo that the ANC has been able to break the 90% ceiling (in 1994). Therefore, Limpopo is clearly a place where the opposition parties would not devote much of their resources, if one considers the fact that it is costly to campaign for elections in South Africa and more so for opposition parties.

The 2014 election campaign period, however, demonstrates a different turn of events, where opposition parties are actually targeting Limpopo and devoting a visibly larger share of their resources to campaigning in the province. The Democratic Alliance (DA) decided to launch its 2014 election manifesto in Limpopo province, defying the well-entrenched idea that the province is dubbed the ANC's "stronghold" (Nel, 2014). As the DA sees it, there has been remarkable development since the previous elections – sufficiently remarkable to warrant a renewed focus by the opposition parties on capturing more support than they hitherto enjoyed in Limpopo.

The DA stated that the ANC in Limpopo has become vulnerable, with the ruling party having worked through a difficult split, with interventions in its governance from the National Government, replacements at the executive government resulting from factional battles in the ANC, and a textbook delivery scandal twice over. This may mean that there is an opportunity to change the political spectrum, with new

and different role-players having emerged.

It is not only the DA that sees Limpopo province as vulnerable to a change in voting patterns. The newly launched Economic Freedom Fighters (EFF) also seems to target Limpopo as its first showing of strength in the 2014 elections. The formation of EFF as a political party has much to do with political fractures within the ANC in Limpopo. Julius Malema's burgeoning popularity as the ANC Youth League president and his subsequent expulsion from the party also has its roots in Limpopo Province. The main question, however, remains whether the political spectrum in Limpopo has changed to such an extent that opposition parties are justified in devoting significant campaign resources to the province.

Making sense of the political dynamics in Limpopo

There is no doubt that the ANC is aware that it cannot allow its electoral hold on Limpopo to slide. But the party's campaign in Limpopo is more of a 'maintenance plan', and not really an attempt to build something new. The ANC's campaign in Limpopo is meant to close or at least limit the opportunity gap for the EFF and also the newly formed AgangSA. Malema, the EFF leader, has a sizeable support base in the province – some of which can be assumed to have migrated with him into EFF after his expulsion from the

ANC.

It is also demonstrable that the EFF's membership recruitment in Limpopo way outstrips membership recruitment in other provinces.³⁷ The EFF's Malema often invokes the emotions of being from Limpopo Province. Besides EFF, AgangSA also sees Limpopo Province as a place for the party to demonstrate its first showing in contemporary South African politics. Since its formation in 2013, AgangSA leader Dr Mamphela Ramphele has been steadfastly invoking her identity as someone who originates from Limpopo. Mamphela's entry into politics has therefore become a 'homecoming' initiative, where she often sees her role as that of serving 'her' people. In one of her statements in Limpopo, Ramphele stated that "My home communities are crying out for a clean government that works for people, not against them".³⁹

The campaigns by AgangSA and the EFF in Limpopo are distinctly organic, and quite different from the type of campaign spearheaded by the DA. Both Malema and Ramphele see themselves as rescuers of the communities of Limpopo, while the DA's campaign in the province is rather more akin to a modern political campaign based strictly on the issues germane to the province. The DA has no ethnic connection with Limpopo, while AgangSA and EFF respectively invoke their ethnic base. The ANC's response to AgangSA and the EFF's attempts to capture the larger share of votes in Limpopo has been to send Cyril Ramaphosa, who also comes from the province, to actively campaign there. This raises the question as to whether Limpopo is experiencing an ethnic-based campaign by three important role-players in this election. This raises a significant hurdle for political parties such as the DA or UDM who

have no ethnic connection to the province.

Voting patterns in Limpopo show that the province has been welcoming to newly formed political parties; however, to the extent that newly formed political parties enjoy some support, all those parties have had a significantly lower share of the votes, with literally very marginal showings in proportion to the support enjoyed by the ANC.

The intense campaigning that the province is experiencing in the lead-up to the 2014 elections comes out of the realisation that the ANC is now weaker in the province and an opportunity may exist for opposition parties to make greater inroads in the province. At this point, however, it is difficult to tell if the political fractures experienced by the ANC in Limpopo will indeed translate into electoral opportunities for opposition parties.

Conclusion

Among the three notable opposition parties campaigning in Limpopo (i.e. the DA, AgangSA, and the EFF), only one party has driven a generic campaign. The DA is clearly an 'outsider' in Limpopo, while AgangSA and EFF are seen as 'homecoming' parties. The DA is the most experienced of all of the opposition parties when it comes to driving campaigns, however. This is attested to by its record of being the opposition party that has steadily increased its national share of votes since its formation. Having enjoyed some support in Limpopo even though in the 2009 election the DA lost the status of official opposition to COPE, the DA's current campaign in Limpopo appears to be gaining traction, suggesting perhaps that voters in Limpopo are not that easily susceptible to "ethnic-based" campaigns as may be thought given

the appeals made by the EFF and AgangSA.

The ANC appears to remain well entrenched in Limpopo and it is likely that the party will most likely secure another victory by a significant margin of majority in the 2014 elections. The campaigns in Limpopo have been well covered by both print media and broadcast media. Much interest in the coverage of the province has been fuelled by the fact that since President Jacob Zuma was elected to the second term as ANC party leader Limpopo has had the most significant fallout recorded within the party at provincial level. This has seen the ANC Provincial Executive Committee being disbanded and Cassel Mathale subsequently recalled as the head of the provincial government.

The institutionalisation of factions in Limpopo has made the ANC weaker, and opposition parties have seen that as an opportunity to gain ground in the province. The ANC is clearly on a mending campaign in Limpopo, and the party has had to deal with President Zuma's growing unpopularity in the province. The results of the 2014 elections will demonstrate definitively whether the sustained fractures and fragmentation that have characterised Limpopo Province and the ANC in Limpopo since Zuma was re-elected ANC president in Mangaung are exaggerated, or whether such fractures presented a real opportunity for opposition parties to make some inroads into garnering support in the province.

END NOTES

³⁷ City Press, "Juju's district not an EFF stronghold", 17 Nov 2013

³⁸ AgangSA, "Mamphela Ramphele returns home to Limpopo to report back to elders and community" 17 December 2013

³⁹ AgangSA, "Mamphela Ramphele

NORTHERN CAPE

Obakeng Bonokwane – Independent Researcher

The central message of opposition parties campaigning in the Northern Cape is that they can manage the Northern Cape better than the currently governing African National Congress (ANC). Most visible have been parties such as Congress of the People (COPE), the Democratic Alliance (DA), and the Economic Freedom Fighters (EFF), attempting to capitalise on the 620 000 people who are in the IEC’s voters’ roll in the province.

The Northern Cape is the largest province in the country and also the most sparsely populated, accounting for only 2.2 percent of the total South African population. The politics of the province is dominated by the African National Congress, whose dominance may be challenged, especially in the Frances Baard and John Taole Gaetsewe regions, the most densely populated regions of the Northern Cape where mining in the province is based.

Political campaigning (opposition)

The Democratic Alliance (DA), Congress of the People (COPE), Economic Freedom Fighters (EFF), Freedom Front Plus (FF+), United Christian Democratic Party (UCDP) and the newly former Independent Civic Organization of South Africa (ICOSA), led by Cornelius Vernon Peterson, have been campaigning vigorously, with Galeshewe the focal point of many opposition parties, especially COPE. In the 2009 elec-

tions COPE secured many of its votes in Galeshewe, the largest township in the province.

Opposition parties in the Northern Cape have been relatively weak, with opposition parties collectively sharing 11 seats out of the 30 seats in the provincial legislature. However, the opposition is looking to use factors such as unemployment, corruption, maladministration and poverty as indicators to show the people that the governing ANC cannot or must not be trusted to continue governing. Apart from the national focus on Nkandla, the opposition have pointed to province-specific projects which they charge are improper, such as the painting of the walls at the official residence of the premier, which cost taxpayers R200 000, a project that has been labelled the premier’s own Nkandla.⁴⁰

From 1 April Malema made his presence felt in the Phokwane sub-region, which comprises Jan Kemp Dorp, Hartswater and Pampierstad. Malema was canvassing support ahead of the 7 May general elections, and the EFF held its provincial rally of the Northern Cape at the McDonald Pitso Stadium, and was highly visible during this period in the streets of Valspan Township, where it appears that everyone was clad in EFF regalia.⁴¹ The Phokwane sub-region is seen as the ANC stronghold, and the EFF’s supposed popularity must be causing unease in the ANC. The Economic Freedom Fighters (EFF) will be counting on the embattled municipal manager of Namakhoi municipality, Aubrey

Baardman, to win the hearts of more than 600 000 Northern Cape people who are registered to participate in the upcoming general elections. On the 17 March this year Malema announced Baardman as EFF premier candidate for Northern Cape. He said that the EFF had a strong candidate in Baardman – a man who reputedly has only standard 7 high school education, and is facing criminal charges relating to alleged theft, Fraud and corruption at the municipality.⁴²

The Democratic Alliance (DA) has also conducted high visibility and high profile campaigning by having its national leader, Helen Zille, Gauteng Premier Candidate Mmusi Maimane, and their Northern Cape Premier candidate campaigning together. In a gathering of more than a thousand party supporters at the Jim Summers Hall, Zille declared that the DA “can win the Northern Cape”.

Even though Zille spoke about what the DA can do for the people the Northern Cape if the DA gets voted into power, the larger part of her speech was directed at criticising the “ANC of Jacob Zuma and John Block”.⁴³ The DA in the province has positioned itself as paragon of good morals. A clinic in Warrenton apparently refused basic medical care to a resident because she was wearing a DA t-shirt. The DA leader in a statement said that the party believed that the woman had the right to have access to health care, as enshrined in the constitution.⁴⁴ The DA will be using the incident to drive its campaign message that they can provide public services

for all inhabitants of the province, regardless of their political affiliation. On 12 April, the DA Parliamentary leader, Lindiwe Mazibuko, and the DA premier candidate for the Northern Cape, Andrew Louw, took the DA's campaign to Upington in the Siyanda region. This is the region where the chairperson of the governing party comes from, and the strategy to take its campaign there was aimed at trying to get support in the ANC stronghold. The visit to Upington saw the DA going door to door, a strategy often employed by the governing party.

Furthermore, the DA in the Northern Cape is hoping that the corruption charges faced by some of the ANC top brass in the province will work to their advantage. Northern Cape ANC chairperson John Block and his fellow party heavyweights, deputy provincial secretary Alvin Botes and provincial treasurer Yolanda Botha, are accused of having received huge kickbacks from Trifecta Investment Holdings in a government lease scandal. The DA is looking at using such incidents as its campaign tools. The DA faces a tough battle, though, since it failed in the 2009 elections to secure the position of official opposition in the legislature, managing to get only 12% of the votes in the Northern Cape.

It remains to be seen if Congress of the People (COPE) will manage to hold on to their position as the official opposition in the province. In the province COPE appears to be dying a natural death. In the 2014 elections COPE has been neither visible nor audible. In March, two senior COPE members and members of the provincial legislature (MPLs) resigned their seats to focus full time on the elections. Both members, Pakes Dikgetse and Fred Wyngaardt, were previously members of the ANC and

MECs in the ANC government.⁴⁵

What is evident in the Northern Cape is that there is a race between opposition parties to be crowned official opposition in the provincial legislature after May 7 general elections. The Freedom Front Plus and other parties such as NFP, and ACDP are simply not strong contenders and it is unlikely, as it was in the past, that they will feature in the Northern Cape provincial legislature.

Forms of political campaigning

Opposition politics in the province is no different from that of other provinces across the country: political parties employ more or less the same strategies to win the electorate over. However, the DA has proved to stand above its counterparts. The DA has positioned itself by focusing on social media, and every premier candidate has his/her personal social page on different platforms, Twitter and Facebook being the main tools of campaigning. The chief DA strategy is to portray its premier candidate as progressive and honourable individuals who can be trusted with government. And the Northern Cape premier candidate Andrew Louw has been promoted by the DA as an honourable man to take the province forward. Like the ruling party, the DA has also done door-to-door campaigning, and sent SMSs to people to make them aware of the DA's campaign.

Unlike the DA, COPE has focused on door-to-door campaigning, which it feels is a more effective method of campaigning. Most COPE members are former ANC members, so they still believe in the strategies the ruling party is employing to galvanize support. COPE is no longer visible in the province, though, and, as things stand, it might lose its official opposition status to either the DA or the new kid on the

block, the Economic Freedom Fighters (EFF).

Formed less than a year ago, the EFF has managed to make its mark in the province, and its posters can be seen in every town in the province, from Kimberley to Kuruman and from Upington to De Aar. What again is clearly in evidence is its fashionable red berets: every second person one meets around the province is wearing a red beret to show his or her political support. Like COPE in the 2009 elections, the EFF is presenting itself as the real ANC, and is willing to implement the freedom charter in its totality, starting with nationalizing the mines, which is what the people of the province would like to hear. Northern Cape is a mining province, so people might think that is a good idea to vote for EFF because it is willing to address the issues of wages at the mines.

Political Campaigning (governing party)

The African National Congress has performed well in the Northern Cape in the past four elections, and it is expected to do fairly well in the May 7 general elections. Its strategy is to highlight its governing track record, and being an incumbent it can use government achievements to support its claims. It has also criticised opposition parties in the province for making empty promises. The ANC claims to be the only party that can deliver on the needs of the people. Nationally it has adopted a slogan "a good story to tell", and the ANC in the Northern Cape is using the same message.

John Block of the ANC said to the people of Noupport and De Aar that the ANC-led government will continue to support ideas aimed at improving the lives of the marginalized. Block was accompanied by the Northern Cape

premier Sylvia Lucas during a visit to Noupoot, De Aar and Richmond, as part of the provincial outreach programme. They launched various projects around Pixley ka Seme district and also launched the Nonzwakazi street revitalization project worth 2.5 million which employs more than 50 young people around the area. Block reminded members of the community to take a stand on May 7 and make the right choice for a better life. Such statements do not sit well with the opposition parties, who feels that government-driven projects are been used for electioneering purposes.⁴⁶

The African National Congress and its alliance partners have in recent times come under serious criticism from opposition parties for allegedly using government resources to boost their campaign work for the 2014 general elections. As part of its campaigning, on 9 April SADTU was distributing school shoes to school-children in the community of Steynville. According to the Diamond Field Advertiser, close to 300 learners had received brand new school shoes sponsored by SADTU. The teachers union is an affiliate of COSATU, which forms part of the tripartite alliance with the ANC.

Present at the community Hall of Steynville was Grizelda Giekella-Lecholo, the MEC responsible for education, together with the MEC of Agriculture, Land Reform and Rural Development, Norman Shushu. The union provincial secretary, Sipho Mayongo, was quoted as saying that the union had decided to give shoes to learners at Vukasiwe Primary School in Steynville to ensure that they did not have to brave the cold winter weather without shoes in their quest for education.

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The ANC is resourceful: its members in the province have made their vehicles available for branding with ANC colours to indicate their allegiance. Nationally the ANC has beefed up the campaign by making available sound-fitted trucks, which are used for campaigning support. And mini-buses in and around Kimberley are also branded green, yellow and black.

The ANC has deployed senior leaders to the province to interact directly with communities on door-to-door visits in communities throughout the province. These leaders visited Pescodia, Barkley West, De Aar, Springbok, Kuruman, Upington and Squarehill, among other areas. Leaders included Gauteng premier Nomvula Mokonyane, Angie Motshega, Naledi Pandor, Aaron Motswaledi, Zweli Mkhize and Fikile Mbalula.

Fractures and opposition in the ANC

Since the Moshaweng provincial conference of the ANC, contestation in the province has subsided, with all members rallying behind one leader. The ANC is led by John Block and Zamame Saul respectively as chairperson and secretary. There no visible signs of fractures and internal opposition. During the list conference there were rumours that certain regional leaders were actually having secret meetings to alienate or oust other leaders, yet little of this has come to pass. The Northern Cape is a province of few opportunities; therefore people rely on the government to provide in terms of business and job opportunities. Northern Cape politics, unlike politics in the metropolitan provinces, can be described as "stomach politics", which in essence means that a person cannot risk challenging those in political power for fear of a loss of livelihood. Tenders

and deployment in strategic government positions are decided by the ANC, and provincial leaders use this power to manage any view that seeks to challenge their authority.

Media Coverage

Media coverage is an important indicator that indeed democracy is in action. All political parties need to receive fair and equitable media coverage in the run-up to elections. The Northern Cape is also fortunate to have a regional office of the South African Broadcasting Corporation (SABC), which is based in Kimberley. The SABC has been a major source of election information, most of which is reported in the SABC 2 news. The newly established ANN7 is also contributing to election reporting, and the station has established a program which focuses on all provinces.

Northern Cape Province does not have a high concentration of media. The Diamond Field Advertiser (DFA) is the most popular daily and other publications are relatively small and at times struggle with resources to cover what is the largest province in the country. There are number of publications that are competing with the DFA, however: the Afrikaans-language Volksblad Noordkaap and the New Age are among the new entrants to the market together with the Weekly Northern Cape and Express. In terms of radio, the stations that are reporting on the province, and that feature news, features and current affairs, are Radio Temaneng, which hosted President Zuma when he was in Kimberley, Kurara Fm, a Kuruman-based station, and Motsweding FM. Motsweding FM has hosted roundtable debates with various political parties.

Coverage of the province by the public broadcaster has large-

ly been balanced, fair, factual and accurate. Larger commercial print publications, including City Press, Sunday Independent and Sunday Times, report on the Northern Cape only when a big or an influential figure is involved in corruption. Other than that they have not been giving the province much attention.

Protests

Between April 2012 and March 2014 this year, police responded to 12 399 incidents of public unrest, of which 10 517 were regarded as peaceful. KwaZu-

lu-Natal had the highest number with 2609, followed by Gauteng by 2401, North West 1667, Mpumalanga 603 and the Northern Cape 433. Of these 433, a total of 74 protest incidences were considered violent. However, in the 2014 period the protests have subsided. It is likely that the elections in the Northern Cape will not be affected by protests, and that they will take place in an environment conducive to free and fair elections.⁴⁸

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⁴⁰ Micheal Mokoena "Premier gets own Nkandla" DFA 9 April 2014

⁴¹ George Mutloane "Parties go all out for elections" Express Northern cape 9 April 2014

⁴² Micheal Mokoena "Town boss to run for NC top office" DFA 18 March 2014

⁴³ Micheal Mokoena "DA promises NC 'real change' DFA 17 March 2014

⁴⁴ Chantal Halata "No help for DA member" DFA 7 March 2014

⁴⁵ "Postponement of Cope MPL swearing-in ceremony cause anger" Mail&Guardian 11 March 2014

⁴⁶ Nkululeko Lucky Chonga "ANC – government 'cares' The New Age 16 April 2014

⁴⁷ "union buys shoes for learners" DFA 9 April 2014

⁴⁸ Municipal IQ

MPUMALANGA

Oupa Makhalemele – Independent Researcher

Political campaigning

Arguably, the 2014 elections have gifted opposition parties with more issues to campaign against the ruling party than any other elections since 1994. The Democratic Alliance, for example, was the first party to campaign against the roll-out of the Gauteng e-tolls, claiming in the process that its electoral prospects in the province looked more promising than ever as a result of the general anger of Gauteng residents towards the e-tolls. The newly formed Economic Freedom Fighters also took on the battle and made the fight against the e-tolls one of their main rallying calls. The massacre of miners in Marikana in 2012 also sparked ire among South Africans exasperated by the apparent failure of the government to govern. It was the Nkandla scandal, though, that would be the most potent weapon to use against the ANC government in the 2014 electoral campaign by opposition political

parties. Political analyst Susan Booysen said the Nkandla issue had become important to the DA's election campaign as the mileage they got out of it was "phenomenal".⁴⁹

Also, the Chapter Nine institutions set up to consolidate democracy in the country have come under unprecedented attack. Of particular pertinence has been some opposition parties' action against chairwoman of the Independent Electoral Commission, Pansy Tlakula. Citing fears that the IEC chairwoman's credibility, and by extension her impartiality, could be compromised as a result of her relationship with a prominent ANC leader Thaba Mufamadi, these parties approached the Electoral Court and filed papers requesting Tlakula's removal only weeks before the scheduled elections. The parties leading this campaign are the UDM, ACDP, Agang SA, COPE and the EFF.⁵⁰ The parties were acting on reports from Public Protector Thuli Madonsela, and the Treasury-commissioned PricewaterhouseCoopers forensic re-

port which essentially put blame on Tlakula and two senior staff members of the IEC for presiding over a procedurally flawed lease of the IEC's head office⁵¹. In the papers submitted to the Electoral Court, these parties pointed out that Mufamadi was a candidate for the 2014 elections, placed at number 155 on the ANC list. The parties had been campaigning for Tlakula's removal following Public Protector Thuli Madonsela's report accused her of disadvantaging other bidders by flouting procurement processes in favour of Mufamadi's company, Abland. The same findings were made by an independent forensic report from PricewaterhouseCoopers, which was commissioned by the Treasury. Interestingly, the bigger opposition party, the Democratic Alliance, as well as the Freedom Front Plus, have distanced themselves from this action.

A question can be posed, although purely speculatively, whether these applicants, anticipating further waning fortunes in the upcoming elections, are casting doubts as to the legiti-

macy and credibility of the electoral results – especially against the backdrop of a real possibility of being trounced in the polls by new kid on the block the EFF. What lends some credence to this speculation is the fact that the DA is projecting more electoral gains, continuing on its onward growing trend at the polls, hence its disinterest in pursuing this matter. The popularity of the EFF, the feasibility of its policies notwithstanding, is considered by some observers as testimony to the party's ability to have sparked for the first time since 1994 a real alternative that resonates with the aspirations of the majority of voters. In an opinion piece published in the Business Day newspaper, political analyst Steven Friedman criticised a campaign led by some veteran ANC members to encourage ANC supporters disappointed with the party's current leadership to intentionally spoil their votes on May 7, arguing that: 'Most voters see parties as vehicles to express their identity, not tools to make a point.' It follows therefore that the EFF might owe its appeal among the poor African electorate to their shared frustration with 20 years of democracy that has yielded nothing more than a flag democracy that has not translated to material transformation in any meaningful way.⁵²

In Mpumalanga 16 parties will be contesting the 2014 national and provincial elections. A glance at the previous results in Mpumalanga suggests that the ANC's dominance over the province is not under threat. This is further affirmed by the recent Sunday Times/Ipsos surveys, which showed the ANC's share of the vote at a comfortable 71.7%, while the DA trailed at 11% and the EFF at 7.4%. COPE, which broke away from the ANC following the party's electoral conference in Polokoane in 2007, has seen a gradual decline in support

in Mpumalanga, as has the UDM.

Forms of political campaigning (Opposition)

All parties have been careful to send high-profile leaders on their campaigns, going door-to-door, party volunteers handing out party leaflets to would-be supporters and persuading them to vote for their party. Opposition parties point out the weakness of the ruling ANC: citing rampant corruption, ineptitude at local government level which has led to some of the municipalities being brought under administration by national government, and the scandals surrounding the ANC leader and national president Jacob Zuma. Tellingly, a number of independent candidates who emerged in Mpumalanga and contested by-elections at local government level have defected from the ANC, which further highlights intra-party weaknesses within the ruling party.

Noteworthy is the website of the main opposition, the DA, in Mpumalanga: it provides snippets of its campaign activities and encourages supporters to join its campaigns around issues of particular interest. The website, while used to advise party supporters of upcoming election-related events, also serves as a platform to embarrass the ruling party, highlighting incidents of intimidation and intolerance on the part of the incumbents. The EFF also has a website on which it uploads press releases, informs supporters of upcoming events and has interactive content such as application forms and links to purchase party merchandise.

ANC Political campaigning

The ruling ANC approached the campaign for the 2014 elections with a sense of caution. The embarrassing and symbolically powerful spectre of the boo-

ing of President Jacob Zuma at the memorial service of the late Nelson Mandela late in 2013 so worried the ANC that careful measures were applied to manage the event of the January 8 Statement, held in Mpumalanga on Saturday 11 January 2014. In the end the event showed a disciplined crowd showing support to its leader, despite the negative publicity that had been following him with the revelation of the Nkandla scandal.

Premier David Mabuza is credited with astute political skills, holding sway in the provincial ANC's activities through the various organs of the party throughout the province.

An interesting strategy has been that of the ANC (and some of the opposition parties in Mpumalanga) showing up at church services and pleading with the churchgoers to pray for the party to succeed in the elections and to continue to deliver a better life for all.

This is, however, only one part of the ruling party's campaigning strategy. A big party with a huge public support, the ANC has relied on volunteers to conduct door-to-door campaigning. Provincial luminaries are also roped in to boost the effort. The party's national leadership has also visited the province canvassing for votes. The ANC also uses well-known public figures such as famous and popular actor Meshack Mavuso, who shot to fame as the character 'Javas' in the controversial but popular television drama 'Yizo Yizo' and played the character of Vusi Moletsane in the soapie 'Isidingo'.

Fracture and opposition in the governing party in the province

With the elections so near, the tensions within the ruling party have been somewhat muted.

It had been reported earlier that the province-to-province list had excluded provincial ANC veterans such as Fish Mahlalela (member of the legislature), Candith Mashego-Dlamini (MEC for health), Pinky Phosa (MEC for economic development), Madala Masuku (MEC for finance and SACP central committee member) and Sibongile Manana (MEC for arts and culture).

Other senior members in the province known to be in the anti-Zuma camp, notably Thomas Bongo and Peter Nyoni, also did not make the list. Mabuza's former deputy Charles Makola was among the PEC members excluded from the list. Former cabinet members Clifford Mkansi turned down his nomination and Meshack Malinga was also left out.

Also not elected were tripartite alliance members, the provincial SACP's Secretary Bonakele Majuba and William Lubisi, the Mpumalanga legislature speaker and SACP PEC member.

Allegations of impropriety were made against the procedure that led to the creation of this list, including the failure of David Mabuza to recuse himself as the process's chairperson, given that he had an interest (that of being on the list). Allegations were made that monies were seen dished out and that there was a list of names that delegates were instructed to vote for. These developments notwithstanding, the ANC does not seem to be in danger of losing its traditional support at the polls, according to the recent Ipsos Markinor polls, discussed elsewhere in this update on Mpumalanga.

Conclusions

The dominance of the ruling ANC in Mpumalanga seems secure for the moment, with opposition parties trailing by dozens

in percentage terms. Some of the smaller parties in the provinces have been losing votes and have mostly been overshadowed by the new-kid-on-the-block the Economic Freedom Fighters.

The ruling ANC's election campaigning was effectively launched alongside the ANC's traditional January 8 statement in January in Mpumalanga. An ANC stronghold, perhaps the choice of venue was propitious for President Jacob Zuma, who had been embarrassed when crowds booed at him at the late President Nelson Mandela's memorial service, attended by scores of international dignitaries. A carefully managed affair, the launch demonstrated support for the ANC and its leader. The ANC seems to have managed to gradually canvass ANC members and supporters behind the ANC, emphasizing the party's pedigree over the apparent flaws of its current leadership, and portraying the party as the only vehicle to effect real social transformation. The party has reiterated the refrain from President Zuma's "We have a good story to tell twenty years into our democracy" speech at the opening of parliament. Focusing the electorate's attention on the several achievements the party managed over the past two decades, the ANC has tried to downplay the damaging scandals engulfing the party under its current leadership, asking for more time to complete the transformation agenda it has set itself to achieve.

The soil for undermining the ANC's electoral hopes has apparently never been richer, with the party suffering unprecedented levels of public discontent, exemplified in the service delivery protests, the fallout from the Marikana massacre, divisions in the labour movement (the party's traditional support base), and public outrage sparked by the Nkandla scandal.

From the point of view of the electorate, however, it seems the ANC is a better devil than the DA, which is often regarded with suspicion by the majority of the electorate, thanks in large part to its identity as a party started and dedicated to defend white interest – despite its record of good governance acknowledged even by the national government. None of the other smaller parties seem to have touched the nerve for the majority of the electorate in the way the EFF has and its popularity, whatever reservations might be held about the practical applications and implications of their policies, speaks to the dearth in the opposition landscape in South Africa, of substantial policy orientation from the point of view of the majority.

The South African constitution and the country's electoral system enjoy widespread, well-considered support. Regulations regarding the media's role and conduct around elections are in place and seemingly enjoy legitimacy among most role-players. The public broadcaster has in recent times been in the spotlight for all the wrong reasons, however, and has required journalists to push back what is considered by many to be attempts to capture the public broadcaster by the ruling party (see Op Ed, City Press 20 April, 2014). On the whole, the media has generated a great deal of interest on the upcoming elections, although it could be argued that substance has been compromised for quantity.

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WESTERN CAPE

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This update focuses on political campaigning that has occurred in the Western Cape in the run-up to the poll on 7 May 2014. The Western Cape has the Democratic Alliance (DA) as the governing party and the African National Congress (ANC) as the main opposition party. Given that the Western Cape is such a highly contested province, most political parties have supplemented their national campaign plans with strategies specifically aimed at reaching voters in the province. Parties have targeted particular groups such as farming and fishing communities as well as areas affected by gang violence. Unfortunately, attempts to capture the usually floating "coloured vote" has degenerated into a situation where campaigning is tainted by racially inflammatory rhetoric.

Forms of Political Campaigning

The DA, ANC, Economic Freedom Fighters (EFF), AgangSA, Congress of the People (COPE), Patriotic Alliance (PA), National Freedom Party (NFP) Inkatha Freedom Party (IFP), United Democratic Movement (UDM) and Freedom Front Plus (FF+) all have posters lining the streets in the suburbs of the Cape Metro and other towns in the province. Door-to-door campaigning and large public gathering campaign events have featured prominently in the Western Cape. These traditional ways of getting their message across are doubly effective, as they usually generate some level of media coverage as well. The DA, ANC and EFF have been most visible in media reports of the campaign trail in the Western Cape.

The DA launched its "Western Cape Story" campaign on 8 March 2014 at Blue Downs Stadium in Cape Town.⁵⁴ About 4000 people attended the event in blue DA t-shirts emblazoned with the DA logo.⁵⁵ On 26 March Western Cape Premier Helen Zille launched the DA Braille Manifesto at the League of the friends

of the Blind in Grassy Park, in an effort to entice voter support from people with disabilities.⁵⁶ On 6 April 2014 she led a march against gang violence and drug abuse in Mitchells Plain, to highlight efforts of the DA-led City of Cape Town municipality to combat these social ills.⁵⁷ The march also served to launch billboard messages showing Mayor Patricia de Lille and other prominent Capetonians promoting the campaign to combat gang violence and drug abuse, as issues that continue to affect communities in the Cape Flats. Two weeks later on 19 April Helen Zille again addressed an anti-drugs and gangsterism march in Manenberg.⁵⁸

On 12 April DA Western Cape leader Ivan Meyer and party provincial deputy Theuns Botha also hosted an election rally in Hartenbos close to George to get the DA message across and to consolidate party support that has been tested in the area in recent by-elections.⁵⁹ On 17 April Helen Zille also delivered a speech at the small harbours picket in Hout Bay, where she addressed fishing communities in an effort to allay fresh fears that proposed government policies on allocation of fishing quotas could negatively

affect livelihoods of many in the fishing communities.⁶⁰

As early as October 2013 the ANC sent two of its senior members to strengthen its volunteer campaign: Public Enterprises Minister Malusi Gigaba and Home Affairs Minister Naledi Pandor went to Khayelitsha to engage with ANC door-to-door election campaign volunteers.⁶¹ The ANC held its Western Cape manifesto launch on 18 January 2014 at Delft stadium, with Jessie Duarte as the main speaker.⁶² One newspaper article noted that the ANC is “pulling out all the stops to win back the Western Cape”.

In another high-profile event, President Zuma spent his 72nd birthday in one of the Cape Flats communities, holding a rally at Vygieskraal Stadium, Athlone, as part of his birthday celebrations.⁶³ The ANC also noted that members of its Women’s League and Provincial executive committee members engaged “with South Africans across the Western Cape as part of their non-stop election campaign”, embarking on door to door activities and listening to the concerns of community members.⁶⁴ Additionally former Western Cape premier and current South African ambassador to the US, Ebrahim Rasool, went on a “whistle-stop” tour of Cape Town in a bid to convince the middle-class electorate, especially those of the Muslim faith, to vote for the ANC.⁶⁵ Provincial ANC leader Marius Fransman was also particularly active in his campaign efforts. In his campaign tour of the Cape farmlands and the West Coast, he addressed farmworkers at a rally near De Doorns on April 22 and lashed out at the DA, accusing the ruling party in the province of siding with farm owners instead of workers.⁶⁶

The ACDP held its official party launch at the beginning of March.

The party’s Facebook page indicates that it has been hosting various meetings across the Western Cape and that ACDP President Kenneth Meshoe had a five-day walkabout in the province meeting with churches, communities, businesses. The ACDP also deployed Members of Parliament Cheryllen Dudley and Steve Swart as well as ACDP Western Cape MPL Grant Haskin and Councillors Ferlon Christians, Demi Dudley and Gerald Siljeur in the province to meet with communities, walk the streets, and address churches.⁶⁸

The EFF engaged in some novel forms of campaigning, hosting a “Western Cape Social Revolution Party” at Club 169 in Long Street, Cape Town.⁶⁹ Later in January Julius Malema gave an address at Khayelitsha’s Mew Way hall.⁷⁰ The EFF had its official launch in the Western Cape on 15 March in Delft – Julius Malema also visited the West Coast, the Overberg and Mitchells Plain.⁷¹

Campaign Content

The ANC campaign has centred on the South Africa’s twentieth anniversary of democracy and the fact that it has “a good story to tell”. This key message was kicked off in President Zuma’s pre-election State of the Nation Address and has been the golden thread weaving the ANC’s election campaign messages together. Much of the DA campaign strategy has been focused on refuting this. While delivering her State of the Province Address, Helen Zille responded by saying that “we have the best story to tell”.⁷² The DA launched its 2014 election manifesto on Sunday 23 February in Polokwane, where the ANC held its conference that culminated in the removal of Thabo Mbeki as South Africa’s president. Their campaign slogan is “Together for change, Together for jobs”.⁷³ Helen Zille promised

to address jobs, education, and corruption.⁷⁴ These themes extended to the DA’s campaign in the Western Cape. A key strategy has been to highlight the DA’s successes and achievements by the provincial government and City of Cape Town council since 2009.⁷⁵ The DA is using its record of governance in the Western Cape to drive its national election campaign in the hope to make inroads in provinces such as Gauteng, North West, Northern Cape, and Eastern Cape.⁷⁶ According to the DA, the Western Cape story “highlights the great strides made in the province since 2009” as it compares its record in government with the ANC’s record in rest of the country.⁷⁷

The ANC’s call for the support of “smaller political parties” as it prepares to win back the DA-led province was shunned by parties in the province, as FF+ leader Pieter Mulder said: “It ... is not in the interests of South Africa to strengthen the ANC.”⁷⁸ “We have (formed) a coalition with the DA to ensure we keep the ANC out (of provincial government).” Cope leader Mosiuoa Lekota said his party had formed coalitions with the DA in the Western and Northern Capes because of the “strong position taken by both parties to deal decisively with rampant corruption and maladministration, among many of the failings of the (ANC)”. Also, AgangSA said that the party’s aim was to put an end to “ANC government corruption that is robbing the country of its development potential”.

The opposition in the province mainly the ANC, EFF and ACDP, have strongly criticized the DA’s ‘Western Cape story’. The ANC has argued that Helen Zille has not kept her promises and has not delivered to poor communities. For example, ANC Deputy President, Cyril Ramaphosa, accused Helen Zille of neglecting delivery in the province, saying that

“wherever we go, they (people in the Western Cape) are crying tears because of poor service”⁷⁹. Sports Minister Fikile Mbalula also criticized the DA’s failure to deliver basic services for poor communities. However, beyond criticizing the DA’s record in office he accused the party of oppressing the people of the Western Cape saying “these witches are oppressing us, they are trampling on us”.⁸⁰

At a rally in the Free State Helen Zille responded in like manner to ANC secretary-general Gwede Mantashe’s description of attacks on President Jacob Zuma being akin to the crushing of the head of a snake in order to paralyse the rest of its body, arguing that “an attack on Zuma was an attack on the whole political party”.⁸¹ She was recorded as saying “Mantashe was right. The ANC is a snake. Snakes symbolise Satan”.⁸²

According to another newspaper report, the DA threatened legal action against the Al Jama-ah party for printing an election pamphlet calling on voters not to vote for the DA because it was a “Zionist-funded” party.⁸³ In the pamphlet Al Jama-ah warns that “a vote for Zionist-funded Helen Zille of the DA is a betrayal of the Palestinian struggle” and refers to the failed DA-AgangSA merger reportedly engineered by a billionaire businessman with close ties to Israel, a move which contributed to the Al Jama-ah political party declaring it haraam to vote DA.⁸⁴

The campaign in the Western Cape has thus degenerated into a series of negative appeals, with politicians and political parties discrediting one another. As early as November 2013 UDM leader Bantu Holomisa made the point that the Western Cape had become a battlefield for the powers that govern the province, saying

that voters “sit in a quagmire of misery whilst they sling mud at each other; completely forgetting about you”.⁸⁵

A key theme emerging from the ANC and the EFF is that the people of the Western Cape need to be rescued from the DA’s racist governance. Public Enterprises Minister Malusi Gigaba criticized the DA’s policies on land, saying the party “wanted land to remain in the hands of a white minority”.⁸⁶ Marius Fransman also told farmworkers at a rally near De Doorns that “apartheid still reigned in the Cape farmlands”.⁸⁷

Linked to the theme of saving the Western Cape from racist governance, are campaign appeals designed to attract the Coloured vote. One media article indicated that “the battle for the Coloured vote is heating up”, with the ANC saying its newest member – former DA councillor Grant Pascoe – has great influence in crucial constituencies. But the DA says he “would not be able to swing votes to the ANC”.⁸⁸ The ANC also threatened to take the DA to court for refusing to apologise for claiming it had bribed former DA mayoral committee member Grant Pascoe with R1 million in cash and a car to cross over to the ANC.⁸⁹

Added to this was the fact that the DA issued a pamphlet specifically aimed at Coloured voters. The pamphlet quotes former ANC Director General of Labour, Jimmy Manyi, who in 2010 said that there is an over-supply and an over-concentration of Coloured people in the Western Cape. The pamphlet is captioned with the title ‘The ANC wants to stop you from getting a job, or a promotion’ and indicates that the ANC has issued new employment regulations which will “prevent thousands of Coloured people in the Western Cape from getting jobs”.⁹⁰ Under the draft

employment equity legislation, companies with more than 150 employees would have to use the national economically active population demographics to determine the equity targets of their top and senior management as well as their professionally qualified staff. The DA argues that this would clash with provincial racial demographics and marginalise certain race groups from the workforce in the Western Cape.⁹¹

In reaction to this, the ANC in the Western Cape laid a complaint with the Independent Electoral Commission.⁹² In his letter of complaint to the IEC requesting investigation, Songezo Mjongile argues that the pamphlet constitutes a clear violation of the Act, the Electoral Act and the Electoral Code of Conduct, in that the pamphlet “was clearly published and distributed with false information in order to create hostility or fear in order to influence the conduct of voters or the outcome of the upcoming election (section 89 of the Act and section 9(1) of the Electoral Code of Conduct)”. He added that “the whole essence of the pamphlets is clearly geared to divide communities on racial lines, and cause serious discontent amongst voters and possible voters”.⁹³ Additionally, President Zuma told supporters at his birthday celebrations “the Western Cape needs a government that will treat the people of the Western Cape equally. Enough is enough with the neglect of predominantly African and Coloured areas in this province... There’s nothing to fear. The ANC is your family.”⁹⁴

Meanwhile, Cosatu provincial secretary Tony Ehrenreich reportedly called for white senior civil servants in the provincial government to be sacked. He explained that if the ANC won control of the provincial government in the coming election, Cosatu would call on the ANC to dis-

continue white preference in the provincial government.⁹⁵ Some leaders chastised voters in the province. After a two-day visit to the Cape Flats, Gwede Mantashe said Coloured people would remain a minority if they did not define themselves properly. He reportedly said “You call yourself a minority. You are governed by a minority all the time. It’s a mindset. We must liberate ourselves ... and appreciate you are part of a majority.” “One thing we are not going to do is give Coloureds presents. Coloured people must play their role and earn their responsibilities. They must earn it among all of us.”⁹⁶ Songezo Mjongile was cited as saying that “DA support in the coloured community is weakening”.⁹⁷

The fundamental problem in all of this is the special significance of the vote to a particular demographic bloc, in this case Coloured voters. As elsewhere in the country, different race groups in the Western Cape are confronted with very different forms of persuasion, different information networks as well as different life experiences and socio-economic positions. In the Western Cape, perceptions of the importance of the ‘Coloured vote’ have resulted in leaders using racially inflammatory political rhetoric.

It is worth noting is that, despite the inflammatory racial rhetoric in the Western Cape election campaigns, there were no signs of high levels of political intolerance, no no-go areas, or reported incidents of political violence.

Media Coverage

The media can play a pivotal role in providing information about political parties and their leaders. Leading up to the elections, the major political parties have increased their campaigning in the province and are doing as much

as they can to portray a positive image in the hope of gaining support in the upcoming elections.

Provincial media outlets have been extensively covering the election campaign in the province. In some instances local radio stations have hosted debates and panel discussions. The DA and the ANC campaigns that have had high media visibility in the campaign thus far, despite the fact that twenty-six political parties are contesting for seats in the provincial legislature. The newly-formed Economic Freedom Fighters has also gained significant media coverage over the past few months.

The main problem with the campaigns in the Western Cape is the way in which political parties direct messages aimed at “coloured votes” and appeals to entice the “coloured electorate”. In many cases the messages are directed aggressively at opposing parties and party leaders. An additional problem is the way in which the media frames news stories about the “coloured vote” as well as its preoccupation with conflict and hostility between parties and party leaders. While these conflicts are newsworthy, in many instances they divert attention away from substantive issues, and such reporting can contribute to negative campaign strategies by parties in an attempt to secure media attention.

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KWAZULU-NATAL

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ANC campaigning

On the ticket 'Together we move South Africa forward' the African National Congress (ANC) campaign in KwaZulu-Natal is well underway. President Zuma celebrated his birthday at an event at Currie's Fountain in Durban on Saturday 12 April. The event was also held to mark the 22nd anniversary of the South African National Civic Organisation (SANCO). The president employed his well-known crowd pleasing tactic of singing a struggle tune and dancing to the rhythm. He also used the opportunity to appeal to the media to 'tell the good stories' and not just to write 'twisted stories about the president'.⁹⁹ Regarding protest he suggested that SANCO take a leadership role in communities, which would curb the protests. The president dismissed opposition parties such as the Economic Freedom Front (EFF) and the Congress of the People (COPE) as parties formed 'out of anger' and parties 'depending on a judge to appoint its leader' respectively.¹⁰⁰ His view is that a vote for the opposition is as good as wasted.¹⁰¹ He then called on people to vote for the ANC, saying that it would be like 'planting a seed that would grow and flourish for the benefit of the country'.¹⁰²

President Zuma has been actively campaigning in the province, conducting door-to-door campaigns in Empangeni and Hammarisdale, where he also visited a local shopping mall and handed out t-shirts.¹⁰³ Earlier he visited the Interfellowship church in Wentworth (a historically

'coloured' area), where he addressed supporters, and has held rallies in Mariannhill and KwaNdengezi (both areas where there have been protest).¹⁰⁴ The ANC campaign in KwaZulu-Natal also includes other senior ANC representatives, including Cyril Ramaphosa, Baleka Mbete, Malusi Gigaba, Zweli Mkhize and Jesse Duarte, who have been campaigning in various parts of the province.¹⁰⁵ Over the Easter weekend the ANC focused its campaign on the theme 'inter cultural'. It held a festival in Chatsworth (a historically Indian area) addressed by the provincial premier Senzo Mchunu, who emphasised that the ANC promoted unity of age, gender and race and that the point of the festival was to create 'social cohesion' and to ensure that Indians, 'coloureds' and whites did not feel marginalised by the ANC.¹⁰⁶ In the same vein, President Zuma attended a Hindu prayer service in Mt Edgecombe, where he spoke of building cohesion and urged people to vote in memory of struggle era hero's Nelson Mandela, Yusuf Dadoo, Billy Nair and Albert Luthuli.¹⁰⁷ ANC KwaZulu-Natal provincial secretary, Sihle Zikalala, contends that ANC support in the province is strengthening and that the party is 'gunning for overwhelming support'. Zikalala argues that the ANC has received increased interest from minorities evidenced by 300 new members from Isipingo and 40 new members from Amanzimtoti. He also argues that 'people are leaving in large numbers from the IFP (Inkatha Freedom Party) to the ANC'.¹⁰⁸

IFP and NFP campaigns

The ANC's strongest opponents in the province, the IFP and National Freedom Party (NFP), also

have campaigns underway that began in the run-up to the province's by-elections. Zululand District Municipality has been a focal site of campaigning by the IFP and NFP given a breakdown in the post-election (local) agreement between the ANC and NFP and a rise in support for the IFP by municipal level leaders.¹⁰⁹ The IFP has also been campaigning in poverty-stricken rural areas such as eMaqadini-Ndwedwe,¹¹⁰ and NFP leader Zanele Magwaza Msibi led a campaign to the urban Umlazi (the site of the 2012 'Occupy'), where she interacted with people in taxi ranks, shopping areas and also visited students at the Mangosuthu University of Technology.¹¹¹ Among the IFP's campaign promises are the creation of a special corruption court, an overhaul of the prison system, an audit of state land to address land distribution and the revision of labour laws to create greater flexibility.¹¹² For its part the NFP is promising free tertiary education, a social grant for widows, increasing the social grant and reducing the pension age for women.¹¹³ IFP national chairperson Albert Mncwango claims that IFP voters who cast their ballot 'along ethnic lines' in 2009 by voting for President Zuma will abandon the ANC in the May election owing to 'buyer's remorse' similar to those who took an 'emotional' decision to follow the NFP. NFP leader Magwaza Msibi disagrees, however, arguing that violence around recent by-elections proves that the NFP is considered a significant threat by both the IFP and ANC.¹¹⁴

DA and MF campaigns

The established political party opposition in KwaZulu-Natal, the Democratic Alliance (DA), has also begun campaigning. A

delegation headed by leader Helen Zille accompanied by Diane Kohler Barnard visited Phoenix, Chatsworth, Wellbedacht and Wentworth in a clear target of the province's minority Indian and 'coloured' voters. Speaking in the informal settlement 'transit camp' of Wellbedacht, Zille, following the party's election promise of ending corruption,¹¹⁵ focused on the Nkandla scandal, and, noting the illegal electricity connections, stated that every 'transit camp' under DA control was electrified.¹¹⁶ The so-called 'Indian areas' of Phoenix and Chatsworth have also been the focus of Minority Front (MF) campaigning in the province. The longstanding MF, despite suffering major setbacks in the form of dwindling support, in-fighting and defections to the DA, insists that it has a strong support base in its call for the scrapping of affirmative action and race quotas.¹¹⁷ According to its leader, Shameen Thakur-Rajbansi (wife of the late party founder Amichand Rajbansi), its election promises include setting up a Minorities Ministry and Minorities Commission.¹¹⁸

EFF and AgangSA campaigns

The rally of newcomer EFF in KwaZulu-Natal is scheduled for Freedom Day (27 April). EFF provincial convener Vusi Khoza claims that the party has not been carrying out any high profile campaigning in the province because 'there are those parties that like to disturb us'. He added that the EFF has found it difficult to campaign freely in KwaZulu-Natal and cited the arrest of ANC supporters in January when they attempted to block Julius Malema's engaging with Nkandla residents. Khoza added that the party was however hard at work 'on the ground', and if it failed to win the province it would at least be a 'deciding factor'.¹¹⁹ Another newcomer AgangSA has announced that it will not be

competing for representation in the KwaZulu-Natal legislature. According to its national spokesman Andrew Gasnolar, the party has registered candidates for only seven provinces and the national assembly. Gasnolar blamed the political system for failing to support new parties and said that AgangSA had only fallen short of building a competitive party in two provinces, one of which is KwaZulu-Natal.¹²⁰

Campaign tactics

In addition to the traditional tactics of political campaigning such as posters, flyers, addresses, rallies and door-to-door visits, KwaZulu-Natal contenders have also taken on other forms of campaigning. These include social media – specifically Twitter, Facebook and Mixit. The ANC has the strongest social media profile, with over 100,000 followers on its Twitter profile and 99,866 'likes' on its Facebook pages. The DA follows with 68,000 Twitter followers and 76,000 Facebook 'likes'. The IFP has 38 Twitter followers and the NFP has 52. Newcomers EFF and AgangSA have 39,500 and 42,700 respectively.¹²¹ Political parties have also continued the trend of using celebrities to invoke support. It seems that the provincial tradition began with the IFP in 1999 when it added popular Ukhozi FM DJ Mandla Malakoane to its provincial legislature list. The NFP has taken up the trend, including DJ Zimphi 'Zimdolar' Biyela to its candidate list. The ANC celebrity support list includes Kwaito star Thulisile Mdihlaba, Bafana Bafana players Helman Mkhalele and Andile Jali and DJ Siyanda. Even the EFF has employed the tactic, enlisting former soap star Fana Mokoena.¹²²

Media coverage

According to Media Monitoring Africa the media plays a pivotal role during elections by communicating information to voters and enabling them to make informed decisions.¹²³ The mainstream (English) print media in KwaZulu-Natal during the run up to the May elections has been fairly comprehensive. An election focus took hold during the various by-elections in the province and headlines centred mainly on the ANC, IFP and NFP jostling for power. The emphasis was usually on violence or conflict, however, such as: *Witness* 'KZN councillors hold their breath as volatile wards hold by-elections'; *Sunday Tribune* 'War wounds reopen at hell's hostel' and 'Rein in KwaMashu cops'; *Daily Sun* 'By-election won't be free and fair'. Print media has also begun to profile recent political party campaigning. Headlines have focused on the ANC consolidating the province as a stronghold: *New Age* 'ANC wants to make history'; *Sunday Tribune* 'Gunning for glory'. The ANC campaign in the province has more or less focused on President Zuma, with articles centred on the president's activities rather than on the party in general: *Witness* 'Zuma on a charm offensive'; *Mercury* 'Come back to the party says Zuma'. The *Witness* and the *Daily News* both reported President Zuma's critique of the media and the *Mercury* published a piece (on page 4) detailing a study that found the ANC to be a transgressor in incidents involving intimidation.¹²⁴ Opposition parties have also featured significantly in provincial print media, with news of the DA campaign as well as profiles of MF leadership and EFF leadership. These were featured in *Sunday Tribune* pieces. Opposition party complaints also received coverage such as the *Witness* account of IFP election poster vandalism and the *Mercury*

ry's report of the DA and IFP's objections to SABC election coverage bias. Pertinent issues such as service delivery protest in the run-up to elections and education have received coverage by the *Daily News* and the *Sunday Tribune*.

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UNREGULATED PRIVATE FUNDING OF POLITICAL PARTIES: LINKING MONEY, POWER AND CORRUPTION

Gregory Solik, Independent researcher, writer and coordinator at My Vote Counts

Introduction

Secrecy in private donations to political parties continues to contribute to the erosion of the future envisioned in the Constitution. The failure of Parliament to regulate these donations in the first 20 years of liberation ought to be considered one of the most serious and significant failures of our democracy. It affects just about every possible aspect of society and it allows a political culture that is inimical to the Constitution to spread like a cancer. How does this affect voters? Overtly we lose trust in politicians, parties, and even the “system” of democratic accountability, broadly speaking.

Definitions

The narrowest definition of political finance is “money for electioneering”. This kind of financial information is important to voters, because knowing who funds a political party provides an essential tool to consider govern-

ment policies, tenders, contracts and relationships with individuals, governments and business, who enjoy power and privilege. Because it is often hard to draw a distinction between campaign costs and costs associated with parties’ routine expenses, party finance can refer to party funding generally:

‘[p]olitical finance thus generally refers to money that is used for electioneering, the costs of maintaining party offices and employing staff, carrying out research, and engaging in voter registration. Beyond campaigns, and parties, money is also spent on other direct purposes such as political foundations, political lobbying, media-related work, and litigation in politically relevant cases.’¹

Citizens require this information about financial contributions annually and not just in election years in order to constantly monitor decisions made by their political representatives. Financial contributions given to parties are known as direct funding,

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while contributions in kind (e.g. voluntary work or free office space, advertising, equipment or printing facilities) are known as indirect funding. Both direct and indirect funding is drawn from private and public sources. A significant difference between the two sources of funding is that while there are regulations that govern the income and expenditure of public sources, there are still no limits, laws, guidelines or any kind of regulation that shape the influence of private money in politics leading up to South Africa's 5th general elections. The corollary of this deeply problematic scenario is that this landscape sows the seeds for corruption, political inequality, and a loss of democratic accountability, both in terms of "internal party democracy" and the democracy envisaged under the Constitution.

Public Funding

The Public Funding of Represented Political Parties Act (Public Funding Act), passed in 1997, was intended to give effect to the constitutional obligation to pass national legislation to regulate party funding. The Act established a public fund, administered by the Independent Electoral Commission, which for the previous financial year increased the allocation to all represented political parties from R108,2 million to R114,8 million in 2013/2014.² The African National Congress (ANC) receives 62% of this public pot, because 90% of the fund is allocated to parties based on

their performance in the past election. New political entrants like the Economic Freedom Fighters (EFF) and AgangSA will not receive any of this money. All of their funding will come from private sources.

A second major source of public funding, which is often overlooked, is the Parliamentary Constituency Allowances and Party Administrative Allowances made in terms of the Policy on Political Parties.³ The total annual budget for constituency allowances and associated services has increased from ±R60 million in 2002/2003 to ±R330 million in 2013/14.⁴ This represents a 500% increase in the past decade, despite serious doubts expressed by the Report of the Independent Panel Assessment of Parliament that the role, function and success of constituency offices remain highly questionable.⁵

A third source is the provincial funding of political parties. Almost all provinces have funding laws, which allow for the allocation of additional constituency funds to political parties. The first piece of provincial legislation to provide funding for parties was the Gauteng Political Party Fund Act,⁶ which encouraged a spate of enactments that preceded the 2009 elections.⁷ This trend continued with three new Acts passed by the end of 2010,⁸ only the Western Cape Province seemingly choosing not to provide such provincial funds. For the year ending 2012/2013,⁹ about R250

million was allocated to political parties from provincial coffers. The allocation varies, but most seem to provide for a proportional and an equal component for the allocation. There are serious doubts as to the constitutionality of these laws, and despite queries made by civil society organisations, government has done nothing to address these doubts over the last five-year term. Below is a table of the latest financial contributions from provincial coffers in the election cycle (the previous financial year).

Province	Name of Bill/Act	Year of enactment	Formula	2012/2013	2013/2014
Eastern Cape	Eastern Cape Political Party Fund Act	1 of 2010	100% proportionately	R75m (EC Appropriation Act 2012)	Party Funding Act of 2010 Repealed by Eastern Cape Political Party Fund Repeal Act, 2013
Free State	Free State Political Party Fund Act	3 of 2008	100% proportionately	R47.9m (FS Appropriation Act 2012)	R30.2m (FS Appropriation Act, 2013)
Gauteng	Gauteng Political Party Fund Act	3 of 2007	80:20	R58m (Gauteng Provincial Budget Review & Estimate • Vote 2)	R63.8m (Gauteng Provincial Budget Review & Estimate • Vote 2)
KwaZulu-Natal	KwaZulu-Natal Funding of Represented Political Parties Act	7 of 2008	80:20	R30m (KZN Appropriation Act, 2012)	R30m (KZN Appropriation Act, 2013)
Limpopo	Limpopo Political Party Fund Act	4 of 2008	100% proportionately	Not Found	R53.5m (Limpopo Appropriation Act, 2013)
Mpumalanga	Mpumalanga Political Parties Support Fund Bill	2008	Not found	R25.3.m (Mpumalanga Budget Review & Estimate, Vote 2)	R36.9m (Mpumalanga Provincial Budget Review & Estimate • Vote 2)
Northern Cape	Northern Cape Political Party Fund Act	7 of 2009	80:20	R22m (NC Appropriation Bill 2012)	R39.9m (NC Budget Review & Estimate, Vote 2)
North West	North West Political Party Fund Act	3 of 2010	Not Found	Not Found	R23.3m (NW Appropriation Act, 2013)
Western Cape	Not applicable				

Private Funding

Private funding is the most significant of party political funding in South Africa. There is still, 17 years into our democracy, no legal requirement for private donations by companies or individuals to be made public, despite promises of regulation. These promises were originally discussed when the Public Funding Act was first debated. When Parliament failed

to enact such laws, IDASA took political parties to court in 2003 using the newly enacted Promotion of Access to Information Act to force parties to disclose.¹¹ IDASA failed in its bid to force parties to disclose their sources. Despite promises made by political parties to remedy the situation (under oath during the IDASA litigation), and the ANC's 2012 Mangaung Resolution,¹² which affirmed the Polokwane Reso-

lution to fix these gaps, private funding remains a black hole. It is therefore difficult to report on private donations to political parties, because they are made in complete secrecy.

The Open Society Foundation reported that approximately R550 million was collected from private funding sources leading up to the 2009 elections.¹³ Since 2009, however, private donations

to political parties seem to have increased exponentially. For example, Matthews Phosa reported that the ANC alone raised R1,66 billion from 2007-2012.¹⁴ The official Parliamentary opposition Democratic Alliance (DA) is less transparent about its income and expenditure. We know nothing about new entrants such as the EFF and AgangSA.

Money in Politics

The sources of private funding can be divided into three categories: individuals, corporations – including foreign companies and state-owned corporations – and foreign governments. Each category poses its own opportunities and concomitant risks. Certainly analysts in South Africa should home in on these categories both individually and collectively, in order to more accurately understand the circumstances in which they operate and thus their threat to democracy. For example, it would seem that donations from the top 40 companies on the JSC and the 10 largest private companies is not as widespread as one would imagine.¹⁵ Indeed, ABSA's decision to discontinue all political donations to political parties in December 2013 is perhaps a sign of greater awareness of the lack of regulation and corrupt practices.

This is not to say that private money in politics is not a threat.

In terms of the threats posed by money in politics from wealthy individuals and business it is helpful to distinguish between the impact on the ANC as the ruling party, and opposition parties trying to compete with their might. In terms of the former, the blurry line between government and the ANC, and its relationship with business, particularly through questionable Black Economic Empowerment deals, remains highly contentious. The

ANC's investment arm Chancellor House is a focal point for this analysis and the Hitachi Power Africa deal¹⁶ – that won contracts worth R38.5bn from Eskom to install boilers at the Medupi and Kusile coal-fired power stations – is the example extraordinaire of this pernicious practice.¹⁷ Simply put, the ANC has made hundreds of millions by selling electricity to its voters over a five-year period.

The creation of the Progressive Business Forum in 2006 as a fundraising vehicle for '[b]usiness people sympathetic to the agenda of the ANC [to] participate in its activities and mobilise financial resources for its continued existence' is a second example of a practice that demands transparency, because it creates the opportunity for corruption, or the appearance thereof.¹⁸ The high-profile gala dinner at the ANC's Mangaung Policy Conference in 2012, where elite titanium packages were sold for R500 000 to guarantee the sponsor a seat at President Zuma's table at the dinner,¹⁹ certainly creates *the perception* that 'influence over or access to'²⁰ elected officials or political parties can be bought. A similar example would be the reports in 2012 about the purchase of a table by parastatal Telkom at the SACP's 91st Celebratory Gala Dinner.²¹

It terms of the ANC's relationship with foreign governments, it should not be surprising that China's two largest rolling-stock manufacturers are the biggest winners of a R50bn deal in March 2014 to manufacture more than 1,000 locomotives for Transnet.²² The government's refusal in 2009 to grant a visa to His Holiness the Dalai Lama, allegedly an attempt to maintain ANC funding from the People's Republic of China, set the scene for secretive foreign funding and its impact on government decisions.

The threat posed to opposition parties is slightly different, but in some respects no less problematic. The danger here is that opposition parties become reliant on wealthy individuals and corporations – as opposed to individual voters – because of the high costs involved in running political parties. To this end, we must accept that money constitutes an essential electoral resource necessary for media campaigns, specialised skills, offices, goods and services. What we must not accept is that, because of this, and the need for strong, well-funded opposition parties, secret funding is justified.

The Threat to Democracy and The Right To Vote

The landscape of money in politics described above poses a triple threat to democracy, which can be summarised in this way: (i) it fosters political inequality; (ii) sows the seeds for corruption; and (iii) contributes to the loss of democratic accountability.

Political Inequality

Political inequality is affected in two ways. First it has a disproportionate impact on ordinary citizens. South Africa is a deeply unequal society – geographically, linguistically, financially, educationally, and in every other conceivable way. Because money matters in modern democracies so much, and because wealthy individuals and corporations exert enormous power, a system that does not effectively regulate money in politics provides these entities with unequal opportunity to have their voices heard. Failing to limit this influence poses a threat to democracy, as it provides the opportunity for a small minority of wealthy individuals and corporations to exercise an electoral influence stronger than a single vote. The recent so-called Pharmagate scandal, which ex-

posed large corporations trying to influence South African intellectual law, policy and legislation, is a good example.²³ Secret funding therefore disenfranchises and disempowers ordinary citizens from participating in the political process on an equitable basis.

In a second way, though, it creates inequality between parties, as the ANC still has enormous power over the state. The North Gauteng High Court's dismissal of the EFF's application to have the payment of financial deposits to the Independent Electoral Commission (IEC) reduced is a good example. Political parties are required to pay a deposit of more than R600 000 – R45 000 per province, as well as R200 000 – to contest the polls nationally. Whatever the merits of such set amounts, which in themselves carry much weight for vetting serious contestants, it is clear that there is a disproportionate burden on newer and less rich parties to compete in elections.

Without any information or knowledge about who funds parties and to what extent, there is no transparency. The lack of transparency means that citizens do not know who is contributing to which party and what way they might be influencing that party and in which direction. This can lead to huge amounts of corruption, since without any transparency we don't know whether donors to parties are influencing their policy decisions, the awarding of state tenders, or large contracts. When ordinary voters do not have this information they have no reliable way of deciding whether to support a party because that party devises policies that are responsive to societal challenges or whether those parties devise and support policies that favour their donors instead. This allows donors to exert a disproportionate amount of influence, and in the context of

the absence of regulation, probably undue influence, over political parties. So voters' concerns might in fact matter less to parties than the agendas of their donors.

Corruption

Corruption in South Africa is one of the greatest threats to fighting inequality and poverty. Traditionally it is understood as 'the abuse of public resources to enrich or give unfair advantage to individuals, their family or their friends'.²⁴ However, corruption in this context is not simply *quid pro quo corruption* – payment of monies in exchange for a favour. As the minority in the recent US decision *McCutcheon v the Federal Election Commission*²⁵ recognises, the "appearance of corruption", or efforts to garner influence or access to elected officials based on one's wealth, is just as destructive:

"Just as troubling to a functioning democracy as classic quid pro quo corruption is the danger that office holders will decide issues not on the merits or the desires of their constituencies, but according to the wishes of those who have made large financial contributions valued by the officeholder".²⁶

But we must go further: it's not simply about public abuse, influence or appearances. The operation of this political system, so often cemented by laws, and a lack of regulation, is in itself "corrupt", and it therefore ensures the maintenance of business as usual, and might perpetuate inherited power and privilege. We are all young fishes at democracy school asking innocently, what does the ocean look like?²⁷

Loss of democratic accountability

The loss of democratic accountability is also affected in two ways. First, this is not the culture the Constitution envisages. Without information on party funding, including campaign finance, a culture of secrecy ensues which is inimical to the Constitution. The Constitution demands budgetary and expenditure processes underpinned by openness, accountability and effective financial management of the economy. The Constitution is founded on a multi-party system of democratic government to ensure accountability, responsiveness and openness.

In a second way though, it affects internal party democracy. The way in which money is received and spent is opaque. Political parties are a special kind of private body that must operate according to standards that ensure those who vote, or claim to associate themselves with a political grouping, understand the finances of political parties.

Conclusion

"Where enough money calls the tune, the general public will not be heard".²⁸ These were the words of Justice Breyer as he lamented the majority judgment, which "eviscerated" the US's campaign finance laws in April this year.²⁹ At the heart of the majority's tragic decision is a fundamental misunderstanding of how money in politics works.

Our electoral landscape exists within a climate that does not protect and insulate democracy from the threats above, thereby imperiling the foundational value of every citizen's right to vote. South African policymakers, citizens, activists and legislators should look to these international best practices as guidelines

for reform.³⁰ But, ultimately, the development of a party finance regime must be crafted by taking into account our own specific legal, political and societal challenges. These include:

- Political inequality: reduce the need for and influence of

money by state-sponsored direct and indirect funding; ensure that whatever finance system is developed, the system must ensure a link between voters and parties, rather than money and parties;

- Corruption: regulate state and political party investment

arms; business with the state; establish base and aggregate contributions in bi-annual cycles; require disclosure thresholds; challenge laws that serve special interests;

- Accountability: establish best practice in openness and transparency.

ANNEXURE A

A similar survey of 180 countries in 2011 shows a marked trend towards increased party funding regulation and disclosure.³¹

International practice 2011	
Ban on donations from government resources	85%
Ban on foreign donations to political parties	68%
Ban on foreign donations to individual candidates	51%
Ban on corporate donations	22%
Limit size of donations to parties or candidates	45%
Public funding	68%
Free or subsidised access to public media	69%
Limits on spending by parties	29%
Limits on spending by candidates	44%
Reporting on finances by parties	88%
Reporting on finances by both parties and individual candidates	53%
Institution to monitor and investigate financial reporting	75%
Financial reports publicly disclosed	75%

END NOTES

¹ See Michael Pinto-Duschinsky “Financing Global Politics: A Global View” (2002) *Journal of Democracy*

² See IEC website and recent regulations published under the Public Funding Act.

³ The Policy is available here <http://www.parliament.gov.za/content/POLICY%20on%20political%20parties%20allowances-1.pdf>

⁴ Appropriation Act, 2013 available here http://us-cdn.creamermedia.co.za/assets/articles/attachments/45589_act_9.pdf

⁵ Independent Panel Assessment at page 60.

⁶ Gauteng Political Party Fund Act, 3 of 2007.

⁷ Free State Political Party Fund Act, 3 of 2008; Kwa-Zulu Natal Funding of Represented Political Parties Act, 7 of 2008 Limpopo Political Party Fund Act, 4 of 2008; Mpumalanga

⁸ Political Parties Support Fund Bill; Eastern Cape Political Party Fund Act, 1 of 2010; Northern Cape Political Party Fund Act, 2 of 2009; Northern Cape Political Party Fund Act 11 of 2011.

⁹ Research by Gary Pienaar.

¹⁰ Table compiled by Karabo Rajuili. Footnotes omitted for the purposes of space. Details available on request. (Special thanks to Gary Pienaar for data for 2012/2013 year and guidance on reading the applicable statutes.)

¹¹ Institute for Democracy in South Africa and Others v African National Congress and Others 2005 (5) SA 39 (C) (“IDASA”).

¹² Resolution: “9.1. Public funding should be expanded in order to promote and support democracy. Such funding will be accompanied by full financial accountability and transparency by political parties, including regulation of private financing of political parties.

9.9 Foreign funding should be permitted but must be regulated to avoid abuse and manipulation by external forces in the political affairs of our country.”

¹³ See, for example, “Money and Politics in South Africa: Meeting our Next Democratic Challenge”, Money and Politics Project policy paper, 25 October 2011, available at <http://osf.org.za/publication-types/money-and-politics-project/>

¹⁴ “ANC looks at cuts to staff as its operating costs soar”, Cape Times 18 December 2012.

¹⁵ Unpublished research by Gary Pienaar.

¹⁶ (25% of which is held by the ANC).

¹⁷ After severe criticism for this obvious conflict of interest and abuse of state power the ANC sold its share back to Hitachi Power in early 2014, months before the general elections.

¹⁸ <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71639?oid=351770&sn=>

- Detail&pid=71639
- ¹⁹ <http://m.iol.co.za/article/view/s/11/a/247585>
- ²⁰ The recent majority decision in *McCutcheon v. Federal Election Commission* does not define this as corruption. The Minority judgment by Breyer J illustrates persuasively that excluding this from the definition is problematic.
- ²¹ <http://www.iol.co.za/the-star/why-did-telkom-donate-money-to-sacp-coffers-1.1343688#Uz2E2Cjrb8s>
- “The government owns 38,9 percent of Telkom. If the stake by the Public Investment Corporation is included, the South African public has a 51 percent investment in Telkom. This means that South African citizens paid, at least in part, for the lavish dinner enjoyed by SACP comrades.”
- ²² <http://www.bdlive.co.za/business/transport/2014/03/18/china-wins-lions-share-of-transnets-r50bn-train-tender>
- ²³ <http://www.tac.org.za/news/>
- leaked-pharmagate-emails-prove-big-pharma-involvement-scandal
- ²⁴ <http://www.corruptionwatch.org.za/content/what-corruption>
- ²⁵ See above.
- ²⁶ McConnell 540 U.S at 153.
- ²⁷ Conversation with Pastor Alan Storey in Heaven on Wednesday 23 April.
- ²⁸ *McCutcheon* at page 6.
- ²⁹ *McCutcheon* at page 2.
- ³⁰ See Annexure below.

NORTH WEST

Dr Ina Gouws – North West University (Vaal Triangle Campus)

Use of state resources

The use of state resources for campaigning purposes has become a contentious issue in the 2014 election campaign period. Allegations of inappropriate use of state resources became prominent during the Tlokwe by-elections in August 2013.

The South African National Civic Organisation (Sanco) accused the Social Development Minister in North West of trying to buy votes with food parcels by distributing these food parcels ahead of the by-elections. The minister in turn stated that there were 17 000 child-headed households in Tlokwe who needed the aid and they would not stop their programmes just because there are by-elections. It was later revealed that there were 5 681 such households in the entire North West Province. A report issued by Sanco alleged that residents of the Dr Kenneth Kaunda district (Klerksdorp) were warned that if they did not vote for the ANC, they would lose food parcels and grants.³² The DA made a complaint to the Public Protector, which her office is now investigating.³³

The most recent allegation of inappropriate use of state funds comes from within ANC ranks in the North West, the latest example of a ‘two-centres-of-power struggle in the province’. The North West MEC for finance announced the project in November 2013, claiming it would provide temporary jobs for the youth on a one-year contract. Selected mayors’ offices across the province were central to the process. Some councillors were tasked with compiling lists of names which were collected by government officials. An employee of the provincial government alleged that they did not know how the names that would benefit from the programme were chosen, but that the project was meant to score political points in a strategy to win the elections. The communications manager of North West Province said their process was inclusive and that they’d consulted various databases of the unemployed to choose candidates.

There are allegations from the Supra Mahumapelo faction of the North West ANC that taxpayers’ money is being abused by this project. Officials are also questioning why only some councillors were involved and not all. This faction in the ANC claims that this programme will destabilise the party even more in this

province. The DA branded the project pure electioneering.³⁴

State of readiness of the IEC

The IEC declared that they were ready for the 2014 National and Provincial Elections in South Africa during the opening of the IEC results centre in Pretoria.³⁵

The IEC in the North West has however come under scrutiny since allegations of vote-rigging during the Tlokwe by elections in 2013. Several independent candidates laid charges against the IEC for the following:

- At least 500 voters whose addresses fall outside of the by-election wards were allowed to vote;
- At least 600 voters registered with incomplete or false addresses on voter registration forms;
- At least 31 voters were re-registered in contested wards and transported from the North West towns of Delareyville and Klerksdorp, and Free State towns including Bothaville and Parys, especially for the by-elections; and
- The Independent Electoral Commission and the ANC colluded to inflate voter numbers in contested wards.

The chairperson of the IEC, Pansy Tlakula, claimed that it was ‘impossible to stage perfect elections’, that ‘things will go wrong, that is the nature of elections’. She demanded that the allegations be proven.³⁷ Under this cloud the IEC had to prepare for the elections in North West. Overview of the province for the upcoming elections:

- 4 district municipalities
- 19 local municipalities
- 3 457 013 population (census 2011)
- 1 716 voting districts/stations
- 1 716 presiding officers
- 1 822 Deputy presiding officers
- 11 342 Voting station staff
- 1 669 349 registered on the voters’ roll.³⁸

Security issues have been a concern for the IEC in the run-up to the elections – not just for voters but also for IEC staff members. In the North West province an inter-ministerial committee led by the national police minister assessed security concerns in Rustenburg after President Zuma abandoned a meet-and-greet in the area. According to Minister Mthethwa, “anyone who says there will be no-go areas on election day is day-dreaming” and warned that disruptive actions will not be tolerated. In addition

to the SAPS presence, the SANDF has 9 companies (one per province) deployed and on standby to assist SAPS if needed.³⁹ The IEC said that it was also increasing security in the North West.

Several hotspots were identified in the North West Province:

Bojanala Region:

- Ledig (Moses Kotane)
- Rustenburg Mines (detailed list attached)
- Madibeng (see attached list)

Ngaka Modiri Molema Region:

- Khunotswane
- Ditsobotla (Itsoseng and Matile I)
- Mmasutlhe (Mafikeng)

Dr Ruth Segomotsi Mompati Region:

- Taung (Seoding)
- Lekwa-Teemane (Bloemhof)

Dr Kenneth Kaunda Region:

- Tlokwe (Ikageng)
- Matlosana (Jouberton).⁴⁰

END NOTES

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GAUTENG

Waseem Holland, Independent Researcher

Introduction

A major challenge and test for a governing party that operates within an electoral system such as the one that is used in South Africa is the onus placed upon it not to use its position of power

in order to gain an unfair advantage over other parties within the multi-party system in the election period. The South African electoral system at times lends itself to instances of the blurring of lines between the party and the state.

In the electoral period especially, there is great emphasis placed on

the governing party separating itself from government as such, but when state resources have been used in electioneering activities for the party that happens to be governing in that particular province, it means that the governing party is blurring the lines between party and government when it is most crucial that those lines remain clearly defined. The

use of state resources for election purposes does not necessarily indicate that the governing party is desperate to gain more votes, but it does perhaps indicate that it does not value the notion of fairness in the electoral period.

Use of State Resources

Media reports have showed a few instances of the use of state resources in the governing party's

electioneering activities. One issue was a complaint brought to the Public Protectors Office by AgangSA which relates to the use of ANC colours on government billboards.⁴¹ Other reports on the abuse of state resources in the province relate to Gauteng traffic police being used to transport T-shirts to an ANC rally in the East Rand.

The *Sunday Times* published a

picture of a member of the presidential VIP security unit deleting images captured by E News Channel Africa (eNCA) journalist Nickolaus *Bauer*. Across the country, there have been allegations of the South African Social Security Agency administering the distribution of food parcels at ANC rallies.⁴² The Public Protector is currently investigating these allegations.

Current Registration Figures

Municipality	Wards	Voting Districts	Registered Voters
EKU - Ekurhuleni [East Rand]	101	615	1,546,439
JHB - City of Johannesburg [Johannesburg]	130	825	2,182,812
TSH - Tshwane Metro [Pretoria]	105	707	1,455,714
	Wards	Voting Districts	Registered Voters
GT421 - Emfuleni [Vereeniging]	45	168	358,518
GT422 - Midvaal [Meyerton]	14	36	52,072
GT423 - Lesedi [Heidelberg]	13	39	46,909
	Wards	Voting Districts	Registered Voters
DC48 - West Rand No Wards			
GT481 - Mogale City [Krugersdorp]	34	107	186,729
GT482 - Randfontein [Randfontein]	22	46	79,717
GT483 - Westonaria [Westonaria]	16	34	52,009
GT484 - Merafong City [Carletonville]	28	70	98,599
Totals	508	2,647	6,059,518

In Gauteng, 2,647 polling stations have been set aside for election-day. The IEC was not able to confirm the exact number of staff that have been trained and deployed in the province, but has confirmed that, as a rule, each station must have at least three officials inside it. Therefore, Gauteng will have no fewer than 60,000 officials that have been trained and deployed.

Conclusion

Through discussions with IEC officials, it is clear that no major issues have been reported in the multi-party liaison committees in Gauteng. While the period right before the election is always the most difficult for the Commission, it seems that the IEC has distributed all relevant materials

and deployed the relevant officials to the appropriate areas.

While there have been numerous allegations of state resources being used in order to further the electoral ends of the governing party in Gauteng and across the country, the complaints are not so severe and widespread for the electoral period to be considered unfair. It seems that the governing party has increasingly used its position of relative advantage in its election tactics. Some representatives in the opposition believe that there should be a banning of government advertising during the electoral period, as it is always closely associated with that of the ruling party.⁴³ It is difficult to decide what kind of regulations should be made in this regard in order to keep the

process of campaigning and advocacy free and fair. One fact of incumbency in any electoral system is that it by definition affords the governing party some kind of advantage over its adversaries.

END NOTES

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KWAZULU-NATAL

Shauna Mottiar⁴⁴ - Post-Doctoral Fellow at the Centre for Civil Society, University of KwaZulu-Natal

Public and Private Funding of Political Parties

According to the Public Funding of Represented Political Parties Act, there is public funding available to maintain political parties between elections. In the 2012 / 2013 financial year, the African National Congress (ANC) as the party with the greatest number of seats in parliament received R69 million of the R104.8 million set aside for the funding of the fourteen political parties that qualify for funding.⁴⁵ Analysts have argued that this practise has led to the ANC consolidating its dominance at the expense of smaller parties. The public funding model also requires political parties to pay a deposit of R200, 000 to contest the national poll and R45, 000 to contest each province. This invariably disadvantages smaller, less resourced parties.⁴⁶

Aside from public funding, South African political parties are also able to receive private funding and this is especially so with regards funding of election campaigns. South Africa has no legislation regulating private donations to political parties. Judith February of the Institute for Security Studies (ISS) has argued that this 'leaves the door wide open for corruption and the buying of influence'.⁴⁷

In 2005 the Institute for a Democratic South Africa (IDASA) took five major political parties to court to reveal their funding sources. The court found however that political parties are private bodies and therefore not bound to reveal their funders.

February contends that this lack of transparency is problematic and suggests that ANC treasurer Zweli Mkhize's suggestion of a 'trust fund' has merit. This suggestion proposes that companies or individuals make donations into a 'trust fund' the proceeds of which will be allocated among political parties according to a set formula. In essence companies and individuals would be making their donations to a 'democracy fund' and supporting the idea of a multi-party democracy. The transparency aspect could then be managed by an independent body.⁴⁸

Abuse of State Resources

A recent study conducted by the Community Agency for Social Enquiry (CASE) entitled 'Just Singing and Dancing'⁴⁹ argues that ruling party, the ANC has abused state funds in order to garner electoral victory. The report cites examples of this from KwaZulu-Natal. One such example is the ANC distributing food parcels, fences and irrigation systems to Nongoma (Zululand District Municipality) residents just before the by-elections in October 2013. In January 2014 it was reported in the mainstream media that the budget for 'Social Relief' from which food parcels are paid had been supplemented by R200 million in October 2013. The CASE report argues that 'It was understood that this measure aimed to support increased distribution of food parcels in the build up to the 2014 elections'.⁵⁰ The report draws from several interviews with representatives of opposition parties namely the Democratic Alliance (DA), Inkatha Freedom Party (IFP) and AgangSA who stated that it was established practice for ANC leadership to distribute food

parcels form the Department of Social Development prior to by-elections. This is especially so in areas where the ANC is contested. A DA representative stated that just before a by-election in Umzimkhulu (Sisonke District Municipality) toilets were delivered to the community by the ANC who then went on to win the election.

In a similar vein the National Freedom Party (NFP) has accused the IFP of misusing funds for their election campaign in three municipalities: uMzinga, iNkandla and Ulundi. The misuse involves hiring and branding cars with IFP colours for the purpose of campaigning.⁵¹ The NFP also levelled allegations at the ANC and the DA claiming that state resources were being put to work in their favour and that 'there should be a difference between electioneering, campaigning and delivering services to the people'.⁵²

State of IEC Readiness

The KwaZulu-Natal Independent Electoral Commission (IEC) lead by Mawethu Mosery claims to be prepared for the May elections. The IEC held an aggressive recruitment drive which resulted in 5.1 million people registering to vote. This is almost double compared to the 3.4 million voters targeted by the provincial IEC ten years ago in the 2004 elections. This makes KwaZulu-Natal the province with the second highest number of registered voters behind Gauteng with a count of just over 6 million.⁵³ According to Mosery over 1 million of the registered voters are under the age of 25.⁵⁴ According to the IEC 56.57% of these registered voters are female and 43.43% male.⁵⁵ Mosery argues however that according to the 2011 census there

are 6.2 million people eligible to vote in the province and that the IEC's task before the 2016 local government elections is to register the remaining 1.1 million. Among the provinces challenges Mosery cites voter apathy and non-participation. He argues that incidents of electoral related violence are 'concerning' but not a cause for alarm given that they are 'sporadic' and 'isolated' and not comparable to historic rates of violence in KwaZulu-Natal. He does however concede that politically motivated killings have the potential to comprise free and fair elections.⁵⁶ Mosery emphasises the fact that South Africa's electoral system has been strengthened by the attendance of various observer missions and has also served as an example for good practise. Here he cites counting ballots and producing results at voting stations and the party liaison concept.⁵⁷

In a briefing to the legislature MEC Willie Mchunu stated that the Department of Transport, Community Safety and Liaison aims to secure violence-free elections in KwaZulu-Natal. Special units are to be deployed to high-risk stations. Among them are the Public Order Police, the National Intervention Unit, the Tactical Response Team, the Special Task Force, Detective Task Teams, Cluster Roving Teams and the South African Police Service

(SAPS) Air Wing. Areas that would see the biggest deployment include the 'hot spots' for violence, KwaMashu and Wembezi. The deployment plan also allows for a Provincial Priority Committee which is to oversee and coordinate law enforcement before, during and after the elections. It is to be led by the provincial commissioner, lieutenant-general Mmamonye Ngobeni. The department also plans to work with community safety structures such as community police forums and the KwaZulu-Natal Community Crime Prevention Association. The plan further provides for election observer missions and accredited independent lawyers. According to Mchunu 50 international and 550 local observers are expected. Also 175 lawyers will be employed on voting day to provide legal advice while 58 officials will monitor policing outside voting stations and 1,595 volunteers have been signed up to aid crime prevention.⁵⁸ KwaZulu-Natal has 4,746 polling stations. 128 of them are categorised high risk, 756 medium risk and 3,862 are considered low risk.⁵⁹

END NOTES

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⁵⁰ NFP calls for crackdown on IFP. 2014. SA Breaking News, 18 April: <http://www.sabreakingnews.co.za/2014/04/18/nfp-calls-for-crack-down-on-ifp/>

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⁵³ Hlongwane, A. 2014. IEC head cautious as he marks progress. *Sunday Tribune*, 6 April, p.23.

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LIMPOPO

Ralph Mathekga – Director - Clearcontent Research and Consulting

Election readiness in Limpopo

According to the Electoral Commission of South Africa, twenty political parties are contesting the provincial ballot in Limpopo.

Those parties are vying for 49 seats in the Limpopo provincial legislature. Limpopo IEC electoral officer, Nkaro Mateta, stated that there are 2.5 million voters registered to vote for the May 7 elections.⁶⁰ The IEC has prepared ballot papers for 2.5 million registered voters in the province. Limpopo has registered 81.2% of

eligible voters in the province.

The voter education programme has been largely successful, except for few instances where the IEC could not carry out voter registration and voter education programme due to disruptions by members of communities. Such incidents were isolated. In such

incidents, however, the IEC was barred from carrying out its programme on site due to conflicts relating to service delivery and also labour-related strikes. The IEC in Limpopo stated that it would be recruiting 40 000 electoral officials across the province.

While Limpopo has experienced a relatively calm campaign season, the tension between the ANC and the Economic Freedom Fighters (EFF) was quite stark. Limpopo is often referred to as 'Malema's Limpopo' due to the former ANC Youth League president's 'home' support in the province.⁶¹ The ANC had sent approximately 50 members of the party's National Executive Committee to embark on a door-to-door campaign in the province. The ANC campaign team was headed by the party's deputy president Cyril Ramaphosa. Conflicting reports came out in the newspapers indicating that Ramaphosa was not warmly welcomed when he kicked off the campaign leg in Seshego, outside Polokwane.⁶² The intimation that Ramaphosa would not receive a good welcome in Seshego comes from the idea that the suspension of Malema from the league by a Ramaphosa-chaired disciplinary committee is something that would be taken personally by residents of the township. Reports that Ramaphosa was 'shunned' in Limpopo during the campaign were subsequently withdrawn by the papers that reported about the incident.

President Jacob Zuma's campaign visit in Limpopo was also not without incident. At a campaign event in Malamulele in Limpopo during April, President Zuma was confronted with a jeering crowd at a packed stadium.⁶³ Malamulele communities have engaged in protests where they were demanding their own municipality. Zuma had to promise them he would look into the matter, stating, however, that he does

not make the decisions alone. Political party campaigning in Limpopo, and also IEC election preparation initiatives, were largely confronted with prior concerns that communities in the province had regarding service delivery and also matters such as the demand for their own municipality in Malamulele. The grievances affected the ANC and IEC, because these institutions are seen as being close to power and therefore legitimate targets when it comes to expressing concerns that communities might have.

The dilemma of identifying whether an incumbent party is using state resources in campaigning

The campaigning for elections in Limpopo has been characterised by a sense of suspicion and mistrust between the ANC and the opposition parties. Being in government, the ANC is in control of public resources. The DA has been the most vocal party raising alarm about the use of food parcels to lure voters. The challenge regarding identifying where state resources are being used to campaign for elections lies in the fact that an incumbent party can always get away with the explanation that its conduct is consistent with measures aimed at rolling out public policy, instead of aiming at using state resources to 'buy' votes. If one considers the fact that the government does not cease to exist until elections are held – a governing party would have influence on allocation or distribution of state resources until the votes are cast – such an incumbent party would therefore have all opportunity to infuse the rollout of public policy in a way that maximises the party's contact with voters.

It is difficult for opposition parties to make a convincing case that the ANC as governing party in the period towards elections

should stop rolling out services because such services are giving the party a competitive advantage over other parties. The ANC is the party that has an opportunity to use state resources to campaign for elections in Limpopo and other provinces where the party forms an incumbent government. One of the disadvantages that a party has if it has been in power for a sustained period of time and is also an incumbent is that the party has no reasonable excuse not to take responsibility for some of the ills and challenges in government. Conversely, opposition parties have an advantage because they have no record; neither do they have a poor record of governing. The advantage of being an incumbent party, however, is that a party may use the leverage of being in power to unfairly amplify its name and reputation. It is difficult to imagine a political party that would not take advantage of its incumbency in the immediate period towards elections.

Conclusion

The IEC records show that Limpopo has had fewer conflicts among political parties in the period leading towards May 7 elections. The IEC office in the province also stated that the number of voting stations will be increased to 3 066, from 2 783 in the 2011 local government elections. Also worth noting in Limpopo is the increase in voter registration, exceeding the 80 percent IEC target of eligible voters in the province.

END NOTES

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EASTERN CAPE

Lashiola Kutya, Malachia Mathoho, Stephen Shisanya – Afesis corplan

Use of State Resources

The Electoral Code of Conduct is aimed at producing a political context conducive to free and fair elections, fostering acceptance of democratic political activity, encouraging free political campaigning and stimulating open public debate on pertinent social, economic and political issues affecting the broader South African society. The Code of Conduct stipulates that no person or political party may offer an inducement or reward that might influence political party identification or allegiance. Moreover, it prohibits any political party or person from misusing a position of power or influence to alter the regulation and end result of an election.

In the run-up to the 2009 elections opposition parties accused the ANC of abusing state funds and state resources for campaigning purposes and further alleged that the ANC engaged in illegal activities by removing opposition parties' posters (i.e. those of the ACDP). In addition, opposition parties accused the ANC of threatening voters residing in RDP houses by suggesting that they would lose their RDP houses if they did not vote for the ANC. In the run-up to the 2014 elections the same allegations have been made against the ANC.

The DA claims that the ANC has been distributing food parcels in Tlokwe (Potchefstroom) since 2013. The Democratic Alliance is said to be taking the ruling party and the Social Security Agency (Sassa) to the Electoral Court over the alleged distribution of

food parcels at ANC election rallies.⁶⁴ The Democratic Alliance has stated that it can reveal that over the last year the Department has distributed food parcels in 23 wards where by-elections were going to be held, and that more than 23 000 food parcels were distributed across those wards. DA branches and volunteers across the country report that this abuse is continuing, and intensifying, in the lead-up to the May 7 election. The DA revealed that the South Africa Social Services Agency (Sassa), under the Department of Social Development, distributed food parcels to at least 170 families in the Mbashe municipality, just outside Dutywa.⁶⁵

Agang SA states that the governing party also offered food parcels in the Western Cape; and that the Gauteng provincial government used ANC colours on its billboards.⁶⁶ The ANC is also accused of handing out blankets and toiletries at its election rallies. *Mail & Guardian* reports have confirmed that the office of the Public Prosecutor Thuli Madonsela is investigating some of these allegations.

The Electoral Act states that “no person may offer any inducement or reward to another person to join or not to join a party”. However, recent reports published in newspapers show that President Jacob Zuma gave cash out of his pocket to some members of the public. The Times Live reported many incidences, including a case where Nompithi Limaphiwho, a pensioner from Port Elizabeth, got R200 to buy “small things” for her two-year-old grandson from the president.⁶⁷ This has left most of the beneficiaries singing the praises of the president and the ANC in particular.

IEC state of readiness in 2014 elections⁶⁸

There are a number of challenges facing the IEC in running these elections; however, IEC officials have indicated that they have prepared adequately and are ready to conduct the elections.

The IEC has been training staff since the voter education campaigns which started in 2013. The IEC has indicated that there are 190 Democracy Education Facilitators (DEFs) employed across the province, doing Balloting Education, 41 Municipal Outreach Coordinators (MOCs), who supervise the DEFs. MOCs are placed at Municipal Electoral Offices, and 39 Electoral Provincial Coordinators (EPCs) are responsible for outreach in 39 local IEC Offices. 1 565 events have also been held since Registration Weekend 2 in February 2014, and 87 297 people have been reached.

The Eastern Cape (EC) is the second-largest province in the country. For the 2014 elections, the IEC aims to have 80% of eligible voters, whom the IEC has indicated that it has reached.⁶⁹ The EC province stands at more than 3.2 million registered voters (85.4% of the voting age population), 1.4 million of whom are males and 1.9 million females. The EC province has 4 615 voting stations in 715 wards in total. There are four mobile voting stations⁷⁰ and 58 voting centres (95 sub-stations). The number of temporary voting stations (tents) stands at 179. The political parties registered to contest the 2014 elections in the province total 18 in number. The EC has 49 capturing sites (MEO offices and additional sites where applicable), and 9 230 (4 615 VDs X 2 ballots) results slips are expected to be verified, captured

and audited. All contesting political parties have been given a CD with a provincial segment of the voters' roll, and the hard copies were made available at the IEC's provincial warehouse for collection by the contesting parties.

The following voting station infrastructure (VSI) needs are being addressed by the voting station infrastructure task team. The Roads & Public Works Department is attending to the access roads to make voting stations more accessible. The IEC has indicated that there are indeed challenges at some voting stations; however, there are measures in place to make sure that the voting process runs without problems in these areas. Stations that have challenges are those without electricity – 906, without water – 526, without toilets – 355, without communication – 194 and with bad access roads – 718.

The IEC has indicated that ballot papers are ready and have already been delivered to provincial warehouse from the printers. It was shown that 136 storage facilities have been identified to keep the ballot papers and all police station commanders have been informed. Vetting of these facilities has been done by Crime Intelligence as well. The overnight storage on special votes days will be provided for both days at secure storage facilities.

In terms of the security arrangements in the province, the IEC has indicated that the environment in the province is relatively calm, but there are concerns about the political intolerance and intimidation experienced in some areas during the voter registration weekends in November 2013 and in February 2014. Key stakeholders have been briefed via regular meetings with the South African Police Service (SAPS), Correctional Services and all MEO offices. Training of SAPS was done

by SAPS trainers in preparation for the elections. Security risks areas have been identified and the IEC is closely working together with SAPS on a deployment plan. It was reported that discussions have also been held with the provincial government on the issues mainly related to service delivery at voting stations. Arrangements have been put in place for infrastructural and natural disaster risks. Plans are also in place for prisoner voting, and Correctional Services has been informed of voting needs. It is planned that two SAPS members will be deployed at all voting stations, and special votes teams will be accompanied by SAPS members on home visits.

In terms of the other practical and logistical arrangements, the IEC indicated that it was ready to conduct special votes from 7 to 17 April. The packing of materials for voting stations with special votes applications started on 23 April. Lists of approved special votes applicants will be handed to presiding officers on 4 May 2014. It has been reported that the total special vote applications approved in the province is 57 428, and the five municipalities with the highest number of special votes are: 1) Buffalo City Metro – 6 409, 2) Nelson Mandela Bay Metro – 6 209, 3) Nyandeni Local Municipality – 3 380, 4) Mbhashe Local Municipality – 3 277 and 5) Mnquma Local Municipality – 3 192.

END NOTES

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- ⁶⁸ The information in this article was provided by the IEC Eastern Cape Provincial Office. It was presented at the Media Briefing for the State of Readiness of the province delivered by the Eastern Cape Provincial Electoral Officer Mr Tami Mraji on 25 May 2014.

- ⁶⁹ IEC, 2014, IEC readiness for 2014 elections; Committee Legacy Report, 11 March 2014.

- ⁷⁰ Mobile voting stations are normally used in voting districts where the population is sparse (i.e. a small number of people spread over a very large area).

MPUMALANGA

Oupa Makhalemele – Independent Researcher

The issue of the use of state resources for campaigning has come up again in the run-up to the national and provincial elections of 2014. In April, news channel ANN7 reported that the office of the Public Protector confirmed that it was investigating three cases of alleged abuse of state resources that involve the South African Social Security Agency, the Department of Social Development and the Gauteng provincial government. In the Mpumalanga province the opposition party leader, the DA's Anthony Benadie, appealed at the pledge-signing ceremony in March that the ANC should stop using state resources to campaign during the elections. No reports have surfaced, however; neither has any claim emanated from opposition parties that the ANC in Mpumalanga has used its access to state resources in its campaign.

State of readiness of the IEC

Training and preparation of electoral staff

The Mpumalanga IEC office has trained 15 000 electoral staff members. The office claims that half of these are women and two percent are people living with disabilities, thus demonstrating it has made efforts to comply with the demographic representation of the country.

In addition, the IEC in Mpumalanga trained party agents of all the parties in Ermelo and in Nelspruit (Mbombela). The commission also introduced a handbook on electoral offences. It states clearly the punishment for breaking the regulations around elections. These include prohi-

bitions concerning placards and billboards during elections and defacing or unlawfully removing any billboard, placard or poster published by a party or candidate for the purposes of an election. Other prohibited activities on voting day include campaigning, and party agents are not allowed to wear political party T-shirts, berets or caps within a certain radius around voting stations.

Multi-party liaison committees

In 1999 in Mpumalanga seven opposition parties banded together, under the auspices of the Institute for Political Leadership (IPL), in order 'to pool resources and staff to monitor voting polls and election rallies.' The key aim of the forum was to ensure that the ruling ANC did not use state resources for party political purposes. The members of this forum were the New National Party, the Federal Alliance, Freedom Forum, Democratic Party, Inkatha Freedom Party, and the African Christian Democratic Party.⁷¹ The New National Party has subsequently folded, while the Freedom Forum and the Democratic Party have since morphed into the Freedom Front Plus and the Democratic Alliance.

With less than a week before the elections a number of parties have banded together to call for IEC chairwoman Pansy Tlakula's resignation following reports that she unfairly and unprocedurally disadvantaged bidders to a lease agreement for the IEC headquarters in order to favour her associate, who is also on the ANC's candidate list. The parties leading this campaign are the UDM, ACDP, Agang SA, COPE and the EFF.

No such forum has been reported

on from Mpumalanga specifically in the 2014 elections.

Number of voting stations

There are 1 680 voting stations in Mpumalanga for the 2014 national and provincial elections, according to the Mpumalanga IEC. Citizens aged 18 and above who have registered for the 2014 elections will be able to do so at the voting station that they registered in. Voters who cannot be at the voting stations they registered in can vote at any voting station in the country for the national assembly. They can still vote for the provincial legislature at a voting station in the province they are registered in, provided they fill in Section 24A form at the voting station.

Number of ballot papers distributed

It was not clear by the end of the week before elections how many ballot papers had been distributed in Mpumalanga. Whereas the IEC had held regular information sessions with the media, interest groups and the public, the IEC website itself needs to be improved if the IEC is to provide regular updates on its operations ahead of elections. Such basic information should be easily available.

Security arrangements

The IEC has explained that the security arrangements during the elections will take place in the sphere of the security cluster, and will not be an IEC focus.

The South African National Defence Force will form part of the effort to ensure security during the elections. Five Oryx's from squadrons in KwaZulu-Natal,

Limpopo, Mpumalanga and Western Cape will be standing ready to assist if needed in whatever capacity, according to army Lieutenant-Colonel Piet Paxton.⁷² The SANDF deployment will be in support of agencies and departments, which include the South African Police Service, the IEC and the Department of Home Affairs. Paxton said another 50 soldiers had undergone IEC training and would serve as plainclothes support to IEC staff at stations on Election Day.

Conclusions

As South Africans head for the elections for the fifth time, twenty years into democracy, the institution responsible for the elections has come a long way. The ability of the Independent Electoral Commission to preside over free and fair elections rests on its adherence to the country's constitution as well as the Electoral Act which gives the institution its

mandate. Its legitimacy rests in the continuing public perceptions that it is impartial and beyond reproach. The commission at present is sitting with a case against its chairperson, launched by some of the opposition parties. Whatever the outcome of this challenge to get the commission chairperson to step down, the commission has to act in a way that demonstrates prudence and a commitment to keep the commission legitimate in the eyes of the South African public.

As often cited, South Africa's democratic transition has symbolised a beacon of hope for many countries in the Global South. Our institutions of democracy ought to be seen to be strong and resilient.

Another important aspect to the public perception of the IEC is its own efficiency. The degree of preparedness and all the efforts so far made to accomplish the goal

of well-run, clean, and free and fair elections leaves many still confident that the IEC is ready.

The Mpumalanga office of the IEC, while it has taken steps to keep the public in the know, running workshops with media and training hundreds of people to take part in the elections, will strengthen itself by improving their website. A more engaging attitude towards the media and other stakeholders can only serve to strengthen the view that the commission is transparent.

END NOTES

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NORTHERN CAPE

Obakeng Bonokwane – Independent Researcher

Use of State Resources for Campaign Purposes

The forthcoming general elections in South Africa will presumably be one of the most fiercely contested elections this country has witnessed since the dawn of democracy. There have been allegations of state resources being used to advance the campaign of the governing party, the African National Congress (ANC): the organization is accused of using state machinery to garner electoral support ahead of the May 7 general elections. If such allegations are true, then that could compromise the legitimacy of the election, because that would

mean that there was unfair campaigning. However, this trend of unfair campaigning is not a new phenomenon, as we had witnessed similar accusations being levelled against the ANC by the opposition in the run-up to the 2009 elections.

Opposition parties in the Northern Cape have also raised concerns that the ANC in the province is indeed using provincial government resources to garner electoral support ahead of the forthcoming elections. They claim that members of executive council of the provincial government (MECs) abuse the government platform when launching government programmes. It is alleged that MECs promote the ANC in government platforms,

turning them into political rallies. In 2013 different provincial government departments had printed yellow T-shirts bearing the face of President Zuma and provincial government coat of arms. These t-shirts are part of the provincial government celebration of 20 years of democracy. This action has however angered the opposition, because it feels that these T-shirts have the potential to unfairly advantage the governing party because the face of President Zuma is synonymous with the ANC.

Programmes such as handing over of bicycles to underprivileged pupils in 10 schools in the John Taole Gaetswe district,⁷³ the distribution of school shoes by the South African Democratic

Teachers' Union (SADTU) in the Steynville community⁷⁴ and the launch of the Nonzwakazi street revitalization project in Pixley ka Seme⁷⁵ are some of the examples of the alleged use of state resources by the ANC in the province, according to the opposition parties. For example, the provincial chairperson of the ANC, John Block, told people of De Aar and Richmond to take a stand on the May 7 and make the right choice for a better life during the launch of Nonzwakazi project. The project is part of the provincial government programme. However, John Block is also an MEC for Finance in the Northern Cape.

However, there is little evidence to back up the abovementioned allegations. Apart from the latter incidents, the provincial government has not been accused of distributing food parcels, as was the case in other provinces. In the Eastern Cape the United Democratic Movement (UDM) has criticized the ANC for distributing food parcels and using state resources for electioneering purposes. Similarly, Agang SA and the Democratic Alliance have lodged complaints with the public protector about the ruling party using taxpayers' money in their election campaigns across the country.⁷⁶ Moreover, the Inkatha Freedom Party has accused both the ANC and NFP of using the Zululand District Municipality for furthering their respective election campaigns.⁷⁷

State of Readiness of the IEC

The Independent Electoral Commission (IEC) in the Northern Cape has said through its provincial electoral officer Mr Bonolo Modise that it is ready to conduct the elections in the province, and that everything was in place for May 7. According to Modise they had appointed and trained staff members who will be working at 394 polling stations across the

province. They also have a complete staff of 5 531 people, which includes voting station managers, voters' roll officers and people who will be managing queues at the different polling stations. There were allegations that most of the people hired to work in various polling stations are actually aligned to the African National Congress (ANC), through their membership to the South African Democratic Teachers' Union (SADTU).⁷⁸

However, the Independent Electoral Commission (IEC) had since denied this claims, saying that all people who will be working for the IEC in May 7 general elections have been vetted by the Multi-Party Liaison Committee. This committee consists of all parties which will be participating in the election. And the vetting process includes, among others things, checking if these people are active members of any political parties or not.

Last year four people who were linked to the Economic Freedom Fighters (EFF) were arrested for allegedly closing down three IEC voter registration stations and setting alight some of the registration material. This action has prompted safety concerns among IEC staff members, who fear that they could be caught in the cross-fire should a similar event occur at any of the polling station in the province.

However, that seems to be unlikely, because, according to the police in the province, senior officers will be deployed on the ground at different polling stations to ensure the safety of voters. They also plan to deploy most of their experienced members, including generals, brigadiers and colonels to ensure that they deal with any situation that might arise during the course of the election. The IEC has assured that there have been sufficient

preparations made to deliver voting materials to cater for the 620 000 people on the provincial voters' roll.

END NOTES

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FREE STATE

Dr Sethulego Matebesi – Chairperson: Department of Sociology, University of the Free State

Introduction

The many accomplishments of the South African government can be lauded, including the democratic right of freedom of association. Much of this achievement can be attributed to many ordinary South African citizens who lost their lives for a free and democratic country. Despite this remarkable achievement, many challenges related to efforts to strengthen the electoral institutions in the country still remain. One major challenge is the widespread belief that the African National Congress (ANC) is abusing state resources for campaigning. This practice causes damage to democracy by creating a playing field that is not level, which inappropriately improves the re-election chances of incumbents. It also negatively influences the quality of service delivery provided to the public. In the Free State (FS), allegations of the abuse of state resources are often countered with the mantra that: “we cannot suspend service delivery just because it is an election year.”

Another challenge for South Africa and the Independent Electoral Commission (IEC) in particular has been the management of election bodies in accordance with national legislation. Over the past 20 years, the FS has successfully held eight elections. This achievement could not have materialised without the dedication and commitment of the IEC staff in the FS. However, the province – which has the highest percentage of registered voting age population (86%) – experienced serious logistical blunders

in the past elections.

This article mainly discusses the use or rather allegations of the inappropriate use of state resources for campaigning purposes and the state of readiness of the IEC. Regarding the former, the focus is on how this alleged irregularity affects voting behaviour. It is argued that if one wants to understand how the alleged inappropriate use of state resources affects voting patterns, one needs to understand how both political institutions and processes work. Generally, it seems that government’s attitude towards this allegation has only served to make the relationship between the ruling party and opposition parties more muddled rather than more cordial.

Allegations of the inappropriate use of state resources for campaigning purposes

Generally, the social sectors such as health, education, housing, as well as cash transfer programmes, have been the sectors most prone to abuse for campaigning purposes. This is partly due to the “high volume of resources involved, the weakness of their institutional controls, and their capacity to generate significant short-term political benefits.”⁷⁹ A recent visit of President Jacob Zuma to the FS was marred by allegations of a blankets-for-votes scandal involving the SA Social Security Agency (SASSA). In addition, parcels of toiletries were also distributed to the elderly at the rally. In a clear attempt at blurring the lines between the state and the ruling ANC, the party’s spokeswoman, Khusela Sangoni, retorted that the party did not know that SASSA would be there. She, however, admitted that the ANC had requested donations from state agencies.⁸⁰

The abuse of state resources may also include buying political support from voters in exchange for job security. In the past, there have been serious allegations that the ANC provincial leadership is using its influence in public administration to enable individual voters to access housing and employment opportunities. Interviews with several public servants who lost their jobs reveal that they are victims of this. It is difficult for individual voters in the employ of the province to make truly informed choices about whom to vote for due to the power wielded by politicians. This widespread abuse of political power limits free political activity and thought, to the detriment of opposition parties.

State of readiness of the IEC

Two registration weekends were successfully concluded, and the high percentage of voting-age people in the FS who are registered to vote is a clear illustration that the citizens of the province have embraced both previous and current opportunities to participate in the decision-making process of the country’s representative democracy. It is envisaged that the turnout will be even better than the previous national and provincial elections.

The IEC stated that its preparations started in good time and various strategic plans were developed to safeguard free and fair elections. Altogether, the province has 1 523 polling stations, of which 211 are temporary voting stations (tents). These polling stations cover 20 municipalities and 317 wards, and areas that experienced challenges regarding long queues and disturbances will have more contingency staff that can be called on for assistance.

Preparations are also in place for inmates in 28 prisons in the province to cast their votes.

Contingency plans are in place for the South African Police Service to deal with any disturbances and intimidation tactics by citizens and political parties at these voting stations. In addition, various media workshops have been conducted with the media since 2013 to engage journalists on preparations undertaken. The province operational centre is ready to provide voters with relevant information. The Commission has also conducted training of electoral staff members over a three-day period in all FS towns. This training was followed by a written assessment to evaluate the competency of staff members. According to the outreach manager, many staff members have been working in earnest with communities at local events doing civic and voter education.

As far as technical and logistical matters are concerned, the FS Commission has received an adequate number of ballot papers, allocated to the province according to the number of voters. The voting equipment has been tested regularly since late 2013. All voting material and equipment

will be transported to the various voting stations under strict security. The IEC has vowed to do everything in its power to avert the logistical blunders it experienced in previous elections, when some of the voting stations ran out of ballot papers.⁸¹ Accordingly, the Commission in the province is confident of delivering a world-class election experience for the citizens of the FS.

Conclusion

This article highlights that the state and the incumbent party, the ANC, are two separate entities. However, the state and the ANC are still so interlinked that resources under state control are understood as resources that can legitimately be used by state agencies such as SASSA to enhance the party's chances of re-election. A worrying trend is the willful disdain for following legal rules and rules of governance by the ruling party. It seems that the ruling party's attitude to governance has degenerated to such a level that abuse of power and disregard for the rule of law, including the IEC code of conduct, are seemingly routine.

It also appears that the FS IEC has learned a hard lesson with

the embarrassing logistical challenges experienced during the previous elections. Planning logistics for the 2014 national and provincial elections started early in 2013, and the Commission increasingly recognizes the importance of civic education and precise logistical arrangements. An important challenge for the province will be to ensure that the high number of people registered to vote actually cast their ballots on 7 May.

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WESTERN CAPE

Dr Cherrel Africa, Head of the Political Studies Department, University of the Western Cape, and Nkosikhulule Xhawulengweni Nyembezi, Co-chairperson of the Elections 2014 National Co-ordinating Forum.

Introduction

As in all other provinces, the IEC in the Western Cape follows nationally mandated processes relat-

ed to the training and preparation of electoral staff, the allocation of polling stations per province, distribution of ballot papers, security arrangements as well as other practical and logistical arrangements. Much of the basis for this update is a provincial update report presented to Commissioners and external stakeholders by the Western Cape's Provincial Electoral Officer, Courtney Simpson, at the Western Cape IEC Results Centre in Bellville South, which

took place on 30 April 2014.

Monitoring Developments in the Province

In the run-up to the elections, protest action which has plagued the Western Cape and the prevalence of gang violence were raised as key areas of concern which could hamper the electoral process. However, it would appear that processes are proceeding as anticipated. The IEC in the Western

Cape has adopted an anticipative approach by developing means of detecting potential risks to free and fair elections, including: clarifying roles and responsibilities of the different organs of civil society (election observers, conflict resolution panel, voter education teams, and party agents), working with community structures to address challenges such as the relocation of voting stations, developing means of detecting and tracking conflict such as individual squabbles that are sometimes mistaken as political rivalry, and identifying potential hotspots. The IEC, together with election observers from civil society formations, has been monitoring election campaigns in areas such as Dun Noon, Masiphumelele, Imizamo Yethu, and Khayelitsha.

The IEC in the Western Cape has been able to put its systems in place far in advance of the upcoming elections. The overlap of by-elections and the voter registration campaign have been used as rehearsal events. Political parties also had the opportunity to gauge the capacity of the IEC to deal with election-related problems that are likely to occur on a larger scale in the May 7 elections.

The Voters' Roll

When the voters' roll was certified by the IEC in March 2014 2 941 333 out of 3 771 271 eligible voters in the Western Cape were registered to vote. This amounts to a registration level of 78 per cent.⁸² Thus a high proportion of voters in the Western Cape are registered to vote. The IEC in the Western Cape expressed concern about the fact that voter registration results indicate that there are large numbers of young people in the urban parts of the province who have not registered to vote. According to the Western Cape IEC, the ongoing trends on urbanisation and the resulting

change in demographics in areas such as the City of Cape Town have also posed a challenge.

Voting Station Network, Sub-stations and Mobile Voting Stations

The revision of the voting station network has been concluded, resulting in 22 263 voting districts, with 1 578 located in the Western Cape. Each voting district has a voting station. Some voting stations will have substations linked to the main voting station. There will be 283 substations in the densely populated parts of Cape Town. Substations are fully-fledged voting stations within the same premises and will have a deputy presiding officer who will report to the presiding officer of the main station. Voting and counting will take place at the substation, and the results will be merged with those of the main voting station. Because of these new aspects in the electoral system, it has been important for the Commission to discuss with political parties matters relating to party agents deployment procedures and numbers of election officials who will be deployed in these stations.

It is expected that the Western Cape will also have a number of mobile voting stations (out of 31 mobile voting stations countrywide) and an explanation of how these stations will operate was given to political parties. These mobile stations are created in terms of Section 33 of the Electoral Amendment Act, which makes accommodation for persons who are bedridden, heavily pregnant, and frail to apply to be visited on the special voting days – May 6 in the case on 2014 elections. They will have a maximum five stopping points with a time allocation for each stop.

The Western Cape IEC noted that some voting stations were

moved due to logistical problems such as unavailability of venues that were earmarked to be used as voting stations. This is a common problem in informal settlements, where population mobility is high and where some areas are vulnerable to disasters such as shack fires and flooding. In cases where voting stations have been moved, it has only been after members of the Western Cape PLC all approve the relocation of the voting station to another venue. According to the IEC in the Western Cape, the reliance on political parties to communicate decisions to affected communities has proved ineffective and a source of conflict in the affected areas, and it has therefore improved its communication strategy with affected communities.

In anticipation of long queues caused by late arrivals in some voting stations, the Western Cape IEC has assembled roving teams that will be deployed as reinforcement at voting stations. In the past, long queues has been a sources of conflict, as some voters – especially those working in the transport, retail, and service sector of the economy – usually work on the day and show up at voting stations after dark. The Western Cape IEC will use the voters' roll to assess voter turnout by noontime to see which stations are likely to get an influx of late-comers and deploy roving teams to assist.

Persons with visual impairments will be allowed to use the Universal Ballot Template (UBT) during special votes, as the use of the UBT in both the voting stations and during the special voting day has been reinforced in the election regulations. The possibility of bringing in a person for assistance, if desired, for the purposes of voting was explained in detail to political parties.

Supplies

The Western Cape IEC will receive its share from ballot papers that have been printed for the 25.4 million registered voters. Printing of the 62 892 200 ballot papers – 31 411 100 national and 31 491 100 provincial – was shared among printing presses in Johannesburg, Durban, Cape Town and Polokwane.

Ballots papers are subjected to high levels of security throughout the stages of the supply chain – from printing, distribution, storage and allocation to voters. This starts at the printing works, where the ballot production is quarantined from the rest of the factory. The product itself is closely monitored throughout the print process until the ballot books are packed and sealed. The inevitable spoils during printing are immediately retrieved and shredded and/or stored under lock and key until after the project. Dispatch staging and delivery take place under 24-hour guarding and surveillance. The same applies to storage at the various levels of the supply chain down to municipal level. Packing of the books up to voting station and ward and municipality level within each province will also be controlled, and labelled accordingly. One of the security control measures that voters will notice is that ballot papers will first be stamped by election officials on Election Day immediately prior to handing them to a voter to make their mark. Any unstamped ballots will not be counted.

Multi-party Liaison Committees

The Commission in the Western Cape has confirmed that the Party Liaison Committee (PLC) continues to meet regularly. The consultations are multi-pronged to include NGOs, CBOs, FBOs, security structures, multi-party

structures, and the Conflict Resolution Panel. There has been extensive communication of the electoral process to political parties, in terms of the Electoral Timetable as published in Government Gazette No. 37387 on 26 February, and this has dominated the content of discussions of the party liaison committee meetings.

Keeping abreast of the cut-off dates in the Electoral Timetable helps to ensure a smooth election management process. The Electoral Amendment Act, passed on November 26, 2013, has meant that liaison committee meetings have spent substantial amounts of time dealing with new procedures that will be experienced for the first time in the 2014 elections, and several training sessions have been conducted in an effort to both minimize chances of conflict and enhance capacity to resolve conflict.

Final Preparations

The Western Cape IEC participated in an IT national system dry-run on 7 April and 9 April 2014 to ensure necessary enhancements to the results system to accommodate additions for the new out-of-country voters brought about by the amendments of the Electoral Act 73 of 1998. On 29 April 2014 the Western Cape IEC moved to the election results centre in ProteaVille Community Centre in Bellville South. Another dry-run was held on 30 April 2014 to ensure that the IT system is ready. In the Western Cape, logistics appear to be place for the 7t May 2014 election.

Outcomes of ongoing PLC deliberations indicate that the Commission is confident that preparations for these elections are at an advanced stage, including the results systems, which have undergone independent audits followed by an opportunity for political parties to test the results

systems in order to satisfy themselves that these systems are indeed fit for purpose.

END NOTES

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ELECTION UPDATE 2014



SA ELECTIONS 2014: POST ELECTION PROVINCIAL REVIEW

6

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FREE STATE

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Introduction

Elections form the bedrock of democracies, as they provide citizens with the opportunity to choose leaders of their choice or to voice their resentment at a ruling party. “Yet experience ... increasingly suggests that electoral events conceived and held in isolation from their broader political context can become as much part of the prevailing political ‘problem’ as their democratic ‘solution’.”¹ The recent elections in South Africa, which generally unfolded smoothly, are indicative of the progress the country

has made in enshrining and consolidating democratic processes. This article reviews critical issues and challenges regarding voter turnout, voting processes, evaluation of the performance of the Independent Electoral Commission (IEC), declared disputes, conflicts and irregularities, the role and impact of election observers and party agents, and the role of social movements and civil society in the Free State (FS) province.

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Data for citizen participation/ voter turnout 2014

Table on Turnout and valid votes- Free State Province 2014²

Year	*Eligible Population	Registered Population	% Voter turnout based on registered population	% Voter turnout based on eligible population	Spoilt or invalid votes
2014	1,710,490	1,499,488	71.01%	60.1%	14, 634

*NOTE: This data, obtained from Statistics South Africa, includes only the population 20 years and older.

Voting processes

With a registered voting population of 1,449,488 and 1,523 polling stations, it was expected that

it was going to be a daunting task for the IEC to ensure that their two-year preparatory work was implemented effectively on Election Day. A particularly praise-

worthy aspect of the elections in the FS is the polling stations. All polling stations, the majority of which were located in public facilities, were clearly marked and

the layout sufficiently guaranteed the secrecy of the vote. Voting began with special votes, which involved more than 4,400 voting station visits and over 10,700 home visits. The special vote process was not without its anomalies. According to Chris Mepha of the provincial IEC, special voting did not open in ward 25 of the Mangaung Metro. At Khotsofatso farm school, which had 14 special votes, the area manager failed to provide the presiding officer with election material. In Moqhaka (Kroonstad) not all voting stations opened on time, and chairs and tables were not available at a temporary voting station.³

On May 7, voting started at 7:00am as scheduled at the majority of voting stations. However, a total of 52 voting stations opened late, with a voting station at Smithfield being the last to open shortly after 08:00am on that day. The official reason provided for this delay in Smithfield was that the IEC's area manager was involved in a car accident en route to the voting station.⁴ IEC officials did not experience major challenges throughout the day. At around 15:00pm, a total of 228,961 voters at all 1,523 voting stations had already cast their votes.⁵ A serious concern on the part of voters is that too many voters waited until the last minute to visit polling stations. This contributed to long queues early in the evening and around 9:00 pm. This was especially prevalent in QwaQwa in the eastern FS. Voting was, however, extended for those already in the queue.

Generally, though, voters in the province managed to cast their votes without any interference. There were a number of factors that contributed to making the environment conducive for the elections. Firstly, voters commented that the IEC personnel were adequately trained on aspects of the

electoral process and demonstrated high levels of competence and understanding of their roles and responsibilities. Secondly, one factor that played a major role in ensuring the safety of voters and IEC officials was the presence of the South African Police Service (SAPS). This view was shared by the provincial commissioner, Lt Gen Simon Mpembe, who stated that more than 8,000 police were deployed across the province during the election period. He noted: "our members, together with other law enforcement agencies such as community policing forums and traffic police, showed a high level of commitment We managed to address the challenges before they could become a problem."

Evaluation of the IEC - appraisal of counting process and announcement of results

A key element of any election process is to ensure all ballot responses are handled quickly, efficiently and with the utmost accuracy. In this regard, the IEC has been able to implement proven systems that enable it to produce sound and credible results for the elections. In the FS, the counting process was preceded by an elaborate process of reconciliation of the ballots, which in some cases delayed the counting process.

Shortly before 11am on May 7, 604 of the 1 523 voting districts had been counted. Vote counting in the province was completed on Friday night on May 9. The IEC did, however, experience delays in the release of results from the large regions in the provinces such as Maluti-A-Phofung Local Municipality in QwaQwa, Mangaung Metro in Bloemfontein and Matjhabeng in Welkom.⁶

Declared disputes, conflicts and irregularities

The IEC has a great variety of

election complaints adjudication processes in place. Elections in the FS were not mired in alleged irregularities, and hence no disputes were declared by political parties in the province. The IEC in the province fired an area manager during the special voting period after he refused to hand voting material to the presiding officer of the Khotsofalo farm school voting station. This particular voting station had 14 special vote applications. The IEC has not yet provided the outcome of its investigation into the Kestell Old Age home voting station in the Maluti-a-Phofung area. The facility apparently told IEC staff no proper arrangements had been made for special votes.⁷

Role and impact of Election Observers, Party Agents and Civil Society Organisations

The fundamental difficulty with the study of the role and impact of election observers and party agents is its measurement. In the case of the African Union (AU) Election Observer Mission, observers played a significant role by being present at some of the polling stations and IEC centre in the FS. Similarly, civil society organisations such as churches, trade unions and community-based organisations assisted observers. In addition to enhancing transparency, these organisations encouraged many registered voters to cast their votes early on the elections day. It can be argued that the presence of these various stakeholders at polling stations may have contributed to voters feeling less intimidated by possible problems.

There is no doubt that political party agents play a pivotal role in elections. A notable feature of the past elections was that the ruling party managed to post a few party agents, supported by several volunteers, at each polling station in the province. While most party

agents were seen encouraging their members to go to the voting stations, the ANC party agents were the most visible at the majority of the polling stations. The party agents played an oversight role inside the polling stations and also had to sign the provisional results released by the IEC before they were announced outside the polling station. A few reports of party agents that caused problems in polling stations were reported in the Botshabelo area. This, one can contend, is because the political parties that recruited them failed to provide them with adequate and accurate training.

Conclusion

The elections in the FS were held in an environment which allowed the electorate to effectively participate in the electoral process

and to exercise their right to vote. Generally, despite a few setbacks, the IEC in the FS appears to have been prepared, and this avoided the recurrence of problems that characterised previous elections in the province. A major concern is that too many voters wait until a few hours before the closing of polling stations. If not addressed, this problem can impact negatively on voting processes in future.

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MPUMALANGA

Oupa Makhalemele – Independent Researcher

Citizen participation – Voter turnout

In the months leading up to the 2014 elections the IEC recorded the highest number of registered voters since 1994. 25,381,293 people registered for the 2014

polls. The total number of votes cast, though, was 18,654,457. Of these 18 402 497 were valid, while 252 274 were spoilt votes. In percentage terms the national turnout was 73.43%. In Mpumalanga, as Table 1 below shows, the picture was not very different. More than 1.8 million residents of Mpumalanga registered to vote. 1,355,592 votes were cast

on 7 May. Of these 1,336,259 were valid votes, whereas 19,333 were spoilt. In percentage terms the voter turnout was 72.85%⁸. Special voters who registered in Mpumalanga numbered 51,000, and of those 65% cast their ballots on Monday and Tuesday (5 and 6 May).

Table 1: Voter turnout in Mpumalanga

Mpumalanga voter turnout	
Registered Voters	1 860 834
Total Votes Cast	1 355 592
Total Valid Votes	1 336 259
Spoilt Votes	19 333
Percentage of Voter Turnout	72.85%

Source: IEC, <http://www.elections.org.za/resultsNPE2014>

When read in the context of the campaign led by former ANC leaders and cabinet ministers Ronnie Kasrils and Nosiviwe

Madlala-Routledge just before the elections, the so-called 'Sidikiwe! Vukani! Vote No!' campaign, the turnout in Mpumalanga was

very high.

Voting processes

2014 marked 20 years of de-

mocracy in South Africa, and the Independent Electoral Commission was running its fifth national elections. By most accounts the overall performance of the commission was commendable. Many of the problems, particularly concerning long queues and shortages of ballots, were attributed to voter behaviour as opposed to inefficiencies of the institution, or its lack of readiness. In cases where there were late opening times of some polling stations, the IEC reported those to be the result of deficiencies in the South African Police Service, whose officials failed to arrive on time to escort its officials as they were taking voting materials to different voting stations.⁹ According to the IEC provincial chairman, the IEC officials are not allowed to transport voting materials without police escort. There were delays at a school in Bhekiswayo, near Hazyview, Celani Primary School, where the voting station opened at 8:30am, an hour and half after the stipulated opening time of 7am.

In Bushbuckridge voters were mistakenly informed that they were only eligible to cast their national ballot, and could not vote for the provincial legislature. Bushbuckridge was previously under the Limpopo province before being re-demarcated into Mpumalanga. A party agent brought the matter to the IEC's attention, which allowed voters to cast their votes both on the national and provincial ballots. The IEC in the province gave a directive to all voting stations in Bushbuckridge alerting them of the matter.

The chairman's personal account of his voting experience demonstrates a well-prepared and functioning commission. According to the account he approached a voting station incognito in Mbombela, away from his home town of Ermelo where he was

registered, and was thus able to observe the performance of the IEC staff at the station, most of whom did not know him. The queue was long and he waited 30 minutes for his turn. He was impressed, though, with the efficiency and conduct of the IEC officials at the station.

Evaluation of the IEC (appraisal of counting process, announcement of results)

The counting process in Mpumalanga was expeditious, with Mpumalanga one of two provinces, the other being the Northern Cape, where the votes were fully counted by Friday morning on 9 May – just two days after the elections were cast. The ruling party, the African National Congress, enjoys dominance in the province, with the Democratic Alliance achieving a distant 2nd place with 10.4% share of the votes to the ANC's 78.33% of the votes cast in the province.

Declared disputes, conflicts and irregularities

There were no reports of declared disputes, conflicts or irregularities in Mpumalanga.

Role and impact of Election Observers and Party Agents

The African Union Observer mission was invited, comprising 54 observers drawn from the Pan African Parliament. African Ambassadors to the African Union (AU) were unequivocal in their praise of the IEC running of the elections. John Kufuor, former President of Ghana, on behalf of the African Union observer missions said the 2014 elections were held in an environment "which allowed the electorate to effectively participate in the electoral process and exercise their right to vote¹⁰."

Also forming part of the Observer Mission were representatives

of the African Court on Human and Peoples Rights, Election Management Bodies, and Civil Society Organisations from the following countries: Algeria, Botswana, Burkina Faso, Cameroon, Comoros, Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Lesotho, Liberia, Mozambique, Namibia, Nigeria, Rwanda, South Africa, Senegal, Sierra Leone, Somalia, South Sudan, Tanzania, Tunisia, Uganda, Zambia and Zimbabwe. The Mission is supported by a team of experts from the African Union Commission (AUC), the Pan-African Parliament (PAP) and the Electoral Institute for Sustainable Democracy in Africa (EISA).

The IEC in Mpumalanga had trained party agents of all parties in Ermelo and Mbombela, introducing a handbook on electoral offences. The role played by a party agent in the case of Bushbuckridge incident related above illustrates the role played by these party agents. The AU Observer Mission's preliminary report on the 2014 elections praised party agents involved in the elections highly.

Role and impact of social movements and civil society

It was not clear what role social movements and civil society organisations played in Mpumalanga around the elections. Apart from a generalised mention in the IEC's and the AU Observer Mission's statements, no acknowledgement of any particular role played by these groupings was made in relation to the elections.

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KWAZULU-NATAL

Shauna Mottiar - Post-Doctoral Fellow at the Centre for Civil Society, University of KwaZulu-Natal

Voter Turn-Out

Voter turn-out for the 7 May

election in KwaZulu-Natal has been described as 'massive'. *The Mercury* reported that 'snaking queues and voters sleeping overnight at polling stations caught Independent Electoral Commission (IEC) officials off guard'.¹ Indeed, the IEC recorded

3,887,840 votes cast in the province, resulting in a voter turn-out of 75.98% as depicted in the table below:²

Total valid votes	3,836,009
Spoilt votes	51,831
Total votes cast	3,887,840
% Voter turn out	75.98%
Registered population	5,117,131

President Zuma cast his vote in Nkandla and was greeted by a mass of ululating African National Congress (ANC) supporters.³ Both Inkatha Freedom Party (IFP) leader Mangosuthu Buthelezi and National Freedom Party (NFP) leader Zanele Magwaza-Msibi cast their ballots in Ulundi,⁴ while the Democratic Alliance's (DA) Lindiwe Mazibuko and Sizwe Mchunu voted in Sunningdale.⁵ Following a surprise announcement by Abahlali baseMjondolo (ABM), the shack dwellers movement, that it would abandon its 'no land, no house, no vote' campaign and throw its support behind the DA, its leader S'bu Zikode voted in Inanda along with DA youth leader Mbali Ntuli.⁶ ABM and the DA in KwaZulu-Natal have signed an agreement whereby ABM pledges support for the DA in re-

turn for the DA fighting housing tender and allocation corruption, speeding up housing delivery, ensuring only lawful land evictions and treating informal settlement residents with dignity.⁷

Voting Processes

Voting processes in the province were, for the most part, unproblematic. The IEC did however encounter various challenges. These included: a shortage of ballot papers, a lack of stamps to mark ballot papers and ink pens to mark voters' thumbs in some polling stations in eThekweni,⁸ the turning away of unregistered voters in Nongoma and KwaMashu⁹ and the incorrect use of Section 24(a) forms (special circumstances) by voters in the eThekweni, Msunduzi and Umhlathuze municipalities.¹⁰

Voting in traditional 'hot-spots' for violence such as Wembezi and KwaMashu ran smoothly. The atmosphere in Wembezi was described as 'jovial', especially around the ANC, IFP and NFP tents, which were pitched side by side.¹¹ Likewise there were no disruptions in KwaMashu (hostel) where voters wearing IFP, NFP and ANC t-shirts alike queued to cast their ballots. Voters were described as 'cordial', but there was nonetheless a visible police and army presence following instability in the area during recent by-elections.¹² It was also reported that voters in Nkandla did not seem preoccupied with the scandal in their midst and that many voters here were seen at the ANC desk collecting t-shirts, which began to run out.

Voting in Pietermaritzburg was also reported to have progressed

smoothly aside from minor isolated incidents in Northdale where ANC and DA members were removed by police for rallying voters and in Sweetwaters where an altercation occurred between a voter who proudly declared he had spoilt his ballot and more loyal voters in the queue behind him.¹⁴

Disputes / Conflicts

The National Joint Operational and Intelligence Structure has logged that 97 people have been arrested for election-related crimes and 131 cases registered.¹⁵ Election-related crimes include public violence, intimidation, assault, damage to property and any contravention of the Electoral Act.

Indeed, despite peaceful elections in KwaZulu-Natal there were incidents of violence and reports of disruptions. A shooting incident at a KwaDukuza voting station just after the polls closed left an ANC volunteer shot dead allegedly by IFP members. This is coupled with reports of an assault by the IFP on an ANC member in Greytown. Both claims are being investigated by police.¹⁶ Protest action on the day before the elections was also a cause for concern in the province, as there were fears that it would spill over into Election Day and disrupt voting. Protests in Ulundi on 6 May for example threatened to disrupt special voting, but the police intervened to contain it. Protesters claimed that they would not be voting because of failed service delivery in their area.¹⁷ The protest continued on Election Day but was, once again, contained by police, who kept protesters at bay allowing voting to continue smoothly. Protesters numbered 'hundreds' and made various attempts to intimidate voters. They called for water, sanitation, electricity and bridges to be installed.¹⁸ There were also protest incidents in Richards Bay on 5

May where 35 protesters were arrested for burning down a voting station. The IEC, however, set up a temporary voting station and voting proceeded as planned on Election Day.¹⁹

Counting and Announcement of Results

Counting occurred at 4 746 polling stations in KwaZulu-Natal and concluded on the evening of Friday 9 May. Provincial chief electoral officer Mawethu Mosery stated that five issues raised by political parties in the province had been resolved.²⁰ Complaints included the IFP contesting the IEC having run out of ballot papers at some voting stations. The IFP particularly took issue with the DA stepping in to help by printing more ballot papers, which was deemed to be in order by the IEC. The DA raised the issue of parties who continued to campaign inside voting stations and the NFP raised concerns about party members being turned away from voting stations for wearing party regalia.²¹ Announcement of the election results logged the ANC in the lead followed by the DA, IFP, NFP and EFF as opposition.²² Results seemed to have been well received in the province, although there were reports of stand-offs between ANC and IFP supporters at KwaMashu hostels following announcement of the results – it is alleged that an ANC motorcade infringed on IFP celebrations.²³

Role of Civil Society and Election Observers

Civil society played an important role in KwaZulu-Natal during the elections through its involvement in civic and voter education initiatives and also by providing spaces for engagement with electoral processes and politics. An example of this was the Democracy Development Programme's (DDP) 'Conversations engaging

with political parties ahead of the 2014 elections', event which took place in the run-up to the election. The event brought together political parties in the province providing a platform for discussion and debate. Civil society also played a role in monitoring and evaluating the provincial election. The KwaZulu-Natal Christian Council (KZNCC) facilitated the SADC Lawyers Association (SADCLA) observer mission focused on the province. The observer mission stated that 'polling day was generally calm and peaceful with no major incidences of violence and intimidation'. It also found that 'the electoral machinery operated efficiently and smoothly'. The report did however express concerns about politically motivated violence still apparent in KwaZulu-Natal albeit on a smaller scale than in the past. The report also expressed concerns about continuing political intolerance in the province.²⁴

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GAUTENG

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Introduction

By way of context, it should be noted that the 2014 national and provincial elections were the first elections in which the work of the IEC was closely scrutinised for a few reasons. The first reason is that the Chairperson of the IEC is under investigation because of administrative irregularities that the Public Protector reported on, also noted in the report by PricewaterhouseCoopers (commissioned by the National Treasury), which finds irregularities in a lease agreement that the current Chairperson of the Commission entered into when she was the Chief Electoral Officer. Opposition parties called for her resignation and questioned the credibility of the institution in general. Therefore, while the IEC may have always been un-

der pressure to perform well, the 2014 elections may have seen a magnification of any errors the IEC may have made due to the doubts being cast over the whole institution because of the cloud that is looming over the Chairperson. The second reason the work of the IEC is being scrutinised more closely than in previous years is because of the fact that these elections were the eighth democratic elections conducted for public representatives in the country. By now, it could be reasonably assumed that elections have become routinised and that South Africans have become relatively acclimatised to the electoral process. Therefore, citizens are no longer simply satisfied just to be voting but are increasingly holding democratic institutions like the IEC to much higher standards. The third reason the work of the IEC was more closely inspected is due to the widespread use of social media platforms like Twitter. The prevalence of Twit-

ter during these elections meant that information was able to flow freely on the ground in real time. Armed with social media access, citizens have become a kind of micro-reporter, which means that the IEC and the media have been able to receive much more reports of irregularities than they may have in previous years. The mainstream media and the public might therefore have thought that there were many more irregularities at voting stations than in previous years. Because perceptions of efficiency and impartiality of the IEC is paramount to the continued legitimacy of the electoral process and the outcomes thereof, the IEC must therefore by and large be seen to be above reproach. The widespread use of platforms like Twitter, which offer real-time information, means that the IEC will need to develop capacity to attend immediately to challenges that may arise in future.

Voter turnout in Gauteng previously

Year	Registered Population	Completed VD's	Total Votes Cast in Completed VDs	%Voter Turnout
2004	4,650,594	4,650,594	3,553,098	76.40 %
2009	5,555,159	5,555,159	4,391,699	79.06 %

Gauteng voter turnout in 2009

Municipality	Registered Population	Registered Voters in Completed VDs	Total Votes Cast in Completed VDs	% Voter Turnout
EKU - Ekurhuleni [East Rand]	1,420,748	1,420,748	1,120,768	78.89 %
GT421 - Emfuleni [Vereeniging]	344,673	344,673	273,686	79.40 %
GT422 - Midvaal [Meyerton]	44,045	44,045	36,352	82.53 %
GT423 - Lesedi [Heidelberg]	43,709	43,709	36,406	83.29 %
GT461 - Nokeng tsa Taamane [Cullinan]	31,426	31,426	26,118	83.11 %
GT462 - Kungwini [Bronkhorstspuit]	61,077	61,077	56,523	92.54 %
GT481 - Mogale City [Krugersdorp]	168,006	168,006	138,590	82.49 %
GT482 - Randfontein [Randfontein]	72,754	72,754	57,237	78.67 %
GT483 - Westonaria [Westonaria]	50,813	50,813	36,801	72.42 %
GT484 - Merafong City [Carletonville]	93,187	93,187	70,538	75.70 %
GTDMA48 - West Rand [Sterkfontein DMA]	2,797	2,797	1,935	69.18 %
JHB - City of Johannesburg [Johannesburg]	2,003,007	2,003,007	1,567,230	78.24 %
TSH - Tshwane Metro [Pretoria]	1,218,917	1,218,917	969,515	79.54 %
Total	5,555,159	5,555,159	4,391,699	79.06 %

Gauteng voter turnout in 2014

Municipality	Registered Voters	Total Votes Cast	% of Voter Turnout
Ekurhuleni (East Rand)	1, 547,126	1, 141, 695	73.8 %
Emfuleni (Vereeniging)	358, 891	263, 134	73.3 %
Heidelberg (Lesedi)	46, 948	34, 165	72.8 %
Midvaal	52, 126	41, 144	78.9 %
Mogale City (Krugersdorp)	186, 914	132, 640	70.9 %
Randfontein	79, 806	58, 269	73.01 %
Westonaria	52, 054	33, 123	63.63 %
Merafong (Carletonville)	98, 695	67, 102	67.98 %
City of Johannesburg	2, 184, 484	1, 585, 179	72.56 %
Tshwane	1, 456, 362	1, 058, 995	72.71 %
Total	6,063,739	4,424,424	72.96 %

Evaluation of the IEC

The IEC is widely considered to have conducted a successful national and provincial election that by and large conformed to the primary democratic principles of freeness and fairness. While the elections are believed to have been generally peaceful, nationally there were various incidents that occurred that are not deemed to have been within the ambit of accepted practices during an election. There were incidences of violence in certain parts across the country on Election Day, the direst example of which was an ANC volunteer being killed outside a polling station in KwaDuzi in KwaZulu-Natal.¹

According to media reports, there seems to have been a disparity between urban and rural areas with regard to the standard of operations by the IEC. Rural areas seemed to be where the bulk of reports of electoral irregularities came from. On Election Day, there were reports of insufficient election materials at polling stations which were apparently caused by people voting in a different station to where they were registered. In addition, polling stations opened late for a number of reasons mainly to do with materials not arriving on time and the vandalising of voting stations. Despite claims that metro areas had higher than expected voter turnout, complaints coming from large urban areas were minimal compared to rural regions. While the fact that the inefficiencies reported in the electoral process seems largely confined to rural areas, which may point directly to inefficiencies at the hands of the IEC, this disparity could merely be caused by a general infrastructure deficit in rural South Africa when compared to other more developed and urbanised parts of the country.

While it could be argued that the IEC has had to lift its standards

from previous years and therefore its performance has been adequate, there are some complaints that were also made in the 2009 national and provincial elections. These relate largely to insufficient ballots at polling stations because apparently voters chose to vote at a different station to where they were registered. The fact that the IEC was not able to plan for such instances, especially when these were similar complaints in the previous election, opens the institution up to some criticism.²

In the main, the elections were well conducted by the Commission despite numerous set-backs. Most of the complaints against the IEC have come from rural areas despite the IEC initiative of erecting 10% more polling stations in rural areas. TIEC press statements suggest that the reason for the long queues in urban areas was due to a higher-than-expected voter turnout: "The most pressing challenge we are facing at the moment is an extremely high turnout at voting stations, especially those in urban and metro areas where long queues continue to be experienced at a number of voting stations,"³ the IEC Chairperson told the press on Election Day. The data, however, indicates that the turnout percentage was lower in these elections in the metropolitan areas of Gauteng compared to the 2009 elections. In 2009 Johannesburg saw a voter turnout of 78.24%, while in this year's election there was a 72.56% voter turnout. There were similar percentage drops in the other two metropolitan areas of Gauteng from the 2009 to the 2014 elections.

Disputes, conflicts and irregularities

Despite the fact that these elections are considered to have been relatively peaceful throughout most parts of the country, Alexandra stood out in Gauteng after

conflict arose inside the township. The Mail and Guardian reported that a voting station had closed early due to an argument that broke out between EFF and ANC members.⁴ It was further reported that the officials had difficulties resolving the conflict, but once the police arrived the situation calmed down. Later, tensions and conflicts intensified in the community following a video that was circulated of community members beating a woman who was seemingly an ANC supporter; this led to the South African National Defence Force being deployed in the community in order to quell the conflicts. The SABC reported that 44 people had been arrested due to public violence.⁵ Leaders of political parties sent messages to the communities encouraging their supporters to stop fighting. The EFF in particular sent a message calling on its supporters to accept defeat.

On 8 May some controversial election irregularities emerged in Gauteng when it was shown that a number of marked ballots were found in Alexandra, Lynwood Ridge and Diepsloot. The question became whether these ballots had been counted and then dumped or simply disposed of before counting. Upon further investigation it was revealed that the ballots had been counted, but the electoral agents had not disposed of them in a manner consistent with IEC regulations. Despite these anomalies, the disputes were resolved and the results accepted. While these kinds of controversies may not have had any bearing on the results, the mistake adds to existing perceptions of the inefficiency of the Commission. Other instances of officials not following protocol too add to concerns about IEC performance that do not bode well for electoral democracy.

Role and impact of social movements, civil society and election observers

An examination of the Election Updates reveals that the election-related activities of civil society are sufficiently robust in the major urban centres of provinces. However, there seems to be a dearth of civil society activity around elections in provinces that do not have major urban centres. These facts, in conjunction with the fact that the IEC claimed to have a higher voter turnout in the metropolitan areas, may serve to illustrate that civil society's impact in these elections was seen in the emphasis on urban rather than rural areas. It is difficult to make a proper assessment of the broad impact of civil society on these elections so soon after the elections, but the high turnout in urban areas may be an indicator.

With the support of the Electoral Institute for Sustainable Democracy in Africa, the African Union launched a comprehensive, country-wide election observation mission. During a press statement, the African Union representatives reported that in their assessment the IEC conducted the 2014 elections in South Africa to the highest standards of excellence.⁶ These kinds of assessments are an important

endorsement of the manner in which the IEC performed in its function of conducting credible and efficient elections.⁷

Following its first election observation mission to Zimbabwe in 2013, the Unisa Election Observer Mission (UEOBM) was on the ground during the 2014 South African national and provincial elections. The Mission conducted training of team members in the observation of elections so that those who received training will in future be able to attend other observer missions in the country and elsewhere on the continent. Headed by former Chairperson of the IEC Bragalia Bam, the UEOM deployed teams across voting stations in Gauteng Province.

Southern African Catholic bishops teamed up to form the Inter-regional Meeting of Bishops of Southern Africa (IMBISA) in order to conduct election observation missions in the Southern African Development Community. South Africa is one part of the series of election observation missions the body plans to conduct.⁸

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NORTH WEST

Dr Ina Gouws – North West University (Vaal Triangle Campus)

Introduction

Elections in the North West Province worried the IEC as well as the provincial government in the run-up to the elections. As described in previous issues of these updates, several service

delivery protests and threats to boycott the elections were made by some communities. Ultimately elections in North West went mostly smoothly, however. The few incidents reported are highlighted below.

Voting process

The voting process in North West concluded with fewer incidents

than expected. There were however a few hiccups which could have had the potential for disruptions. The voting station in Marikana (identified as a possible hotspot), did not open on time. The IEC official said that the station opened late because of a faulty scanner.¹ According to the Daily Sun, the voting station at nearby Freedom Park also opened late and residents allegedly start-

ed shouting and insulting the IEC officials.²

Another incident reported at the Marikana Community Hall voting station was that of eight foreigners who tried to vote. They were turned away after it was discovered that they were not South African. According to the presiding officer of this voting station, they also had to turn away several South Africans who were not supposed to vote in that voting district. They were assisted by being shown where to vote.³

Evaluation of the IEC

By most accounts the voting process in North West went smoothly. By 10:30 am on 9 May 99% of the counting in the North West had been completed, making it the third province to eventually finalise counting after Mpumalanga and the Northern Cape.⁴

Declared disputes, conflicts and irregularities

There were a few irregularities and conflicts reported in North West. In Bloemhof, residents alleged that they were intimidated during the voting process. A man who wished to remain anonymous told the Daily Sun that he wanted to vote but that people threatened to cut off his fingers if they found ink from the polling station in his fingers. These allegations were investigated by the police, and police assured voters that they would be protected.

According to an OFM news report, the bulk of arrests for electoral misconduct took place in the

North West Province, although these were not incidents of serious violence or corruption.⁶

The EFF has however lodged an objection to voting at a Rustenburg mine shaft (Khuseleka), where the presiding officer allegedly made the mistake of not issuing voters registered in the province with provincial ballot papers. The EFF accused this officer of intentionally undermining the party's share of the provincial vote. The EFF regional chairman said that the mistake was discovered around 4pm after thousands of voters have passed through the station.

According to Business Day the young IEC presiding officer was 'distraught and terrified' at the time and took refuge in a police vehicle while the voting station was still open. He admitted his mistake. The IEC provincial leader said they believed 4 000 voters did not get provincial ballot papers.⁷ Evidence of an official complaint with the IEC provincial office or any final outcome does not seem to be available.

Role and impact of election observers

The role and responsibilities of election observers are to observe proceedings during an election. According to the IEC, observers both foreign and domestic are extremely valuable to the electoral process.

'They are neutral outsiders, who have been present and seen what has happened during voting, counting

and the determination of results, can tell the world that the process was transparent, free and fair. The opinion of an impartial witness carries a great deal of weight'.⁸

Election observers from the AU and SADC have declared the 2014 national and provincial elections in South Africa free and fair.⁹

Some of the observers, such as the German delegation (who visited 13 voting stations in Gauteng and North West), tweeted about their experience in North West, and had praise for the South African electoral process:



Role and impact of social movements and civil society

Civil society has played a role in the run-up to the election concerning voter education and awareness. In a province such as North West, where the probability of election violence was at times high, voters' responsible and genuinely positive attitude is commendable.

Not much publicised evidence exists about the role or impact of social movements during elections in the North West. However, some civil organisations asked to be election observers during these elections. One such organisation is the civil rights organisation AfriForum. AfriForum made a call to its 90 000

strong membership to use the opportunity, when casting their votes, to check that important requirements are met. A special e-mail address as well as an SMS line was created for this purpose, where members of the public could report irregularities. 7.5% of the complaints they received from their members were from North West Province. The biggest number of complaints related to the logistical management of the election as well as administrative issues. Complaints inter alia related to voting stations which had opened late, voters who had become impatient with procedures, including long lines at the stations and IEC personnel who did not assist in executing the steps of the process. A voter also alleged that he/she had managed

to remove the indelible ink from his/her thumb after voting. There were also complaints of national and provincial ballots ending up in the same box (which is not a problem). AfriForum was satisfied that the election results are a true and fair reflection of the will of the voters that took part in the 2014 elections.

They made a final important point about the role civil organisations can play in elections:

'In order to ensure that elections are free and fair, civil rights organisations such as AfriForum have an important role to play, not only to expand the democratic space but also to hold radical elements to

account. While the broad integrity of the election process had not been obviously infringed upon, it is clear that there is room for improvement in terms of public complaints.¹⁰

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EASTERN CAPE

Musa Sebugwawo, Lashiola Kutya, Sibulele Poswayo and Stephen Shisanya – Afesis-cor-plan

Introduction

Free and fair elections are the cornerstone of every democracy. In order to ensure free and fair elections certain safeguards are put in place by the Independent Electoral Commission (IEC) to ensure that all election processes are run with integrity and are free and fair. Encouraging the involvement of observers in the electoral process is one of the safeguards put in place.

Regular elections do not necessarily guarantee a citizen's right to freely and fairly elect a chosen representative. Aspects such as violence, intimidation, fraud, unfair rules, censorship and tampering with election processes interfere with democratic electoral processes and subvert the will of the people. Even in cases of well-established electoral systems there is a constant need for vigilant observation and improvement of the system.

The main role of observers (in the form of election observers, party agents, social movements and civil society) is to safeguard the right of all voters to freely express their will without undue pressure. Their role also includes ensuring that the electoral processes are not conducted in such a way as to advantage certain political parties above others.

Role and Impact of Election Observers

Observer missions comprise members of the community – communities of interest as well as communities of location – who have a shared interest in ensuring that elections are free and fair and that the will of the people is duly reflected.

It is important to note that the duty of an election observer is not to take an active part in the election but rather to evaluate and to ensure that the code of conduct of the IEC is adhered to and to document and report any violations of such codes. Violations of the code of conduct of the IEC may inter alia include violence and public intimidation, display of weapons at voting stations and

hindering the entrance of voters among other things.

Nationally, several irregularities involving thousands of votes were reported. However, with all the irregularities, independent observers gave the elections process overall the thumbs-up.

In the Eastern Cape there were four election observer groups made up of:

1. Mqanduli Community Advice Office
2. Matatiele Advice Centre
3. Moltene Ministers Fraternal
4. African Lifelong Initiative

The above observers applied for observer status with the IEC, and their applications were successful. They are to compile reports on their findings and meet in order to compile one observer report by the end of May 2014.

Role and Impact of Social Movements

Since long before the fight against apartheid, and before, social movements have moved from the margins of society to a much more centralised and per-

sistent presence.

While the impacts of movements and the outcomes of elections are difficult to predict (and even assess in some cases) it would be interesting to explain the social force that shape movements and their political legacies. There have been unusually high levels of movement mobilisation since the last presidential election in 2009.

The 2014 general elections saw an increase in the role of social movements in the Eastern Cape from even during campaigning prior to the elections. Social movements like the Association for Independent Publishers held workshops on responsible information sharing by independent media players and social movement leaders who continuously shared information with their constituencies and urged them to go and cast their votes.

Role and impact of Party Agents

The IEC did not play any role in the recruitment of party agents and this role was a role for the respective parties to play. Party agents underwent intense training over one day. The training took the form of training of trainers wherein parties provided individuals to be trained and had to commit to train their own party agents.

It is not easy for the IEC to state the number of party agents which were involved in the elections. This is because although all parties were urged to have a maximum of two party agents – with no party branding – in the voting sites, some did not have the capacity to place two party agents in all voting sites of the province. The IEC was also clear that the presence, or lack of party agents in voting sites would not affect the continuation of voting on the

day.

Some of the irregularities identified by party agents in the Eastern Cape include:

1. In the Eastern Cape town of Sterkspruit – a ballot box filled with papers from the 2 days of special voting – was found. This discovery was made as police cleared barricaded roads and opened access to voting stations the locks of which had been changed by community members intent on boycotting the voting. This issue was addressed and the response given to the party agents was in line with Provincial Electoral officer, Thamsanqa Mrayi who said the boxes had been from the first two days and had been counted. He also emphasised that roads leading to the voting stations in the troubled town on Sterkspruit had been barricaded to prevent voters from voting and some stations had been illegally locked. More than 500 police officers were deployed to keep the peace and voting there was recorded by observer missions as free and fair, despite the above mentioned problems.
2. In the Mnquma area of the province of the Eastern Cape, Cope party agents were turned away because their party agent forms did not display the party's logo as required by the electoral code. There seemed to have been a misunderstanding wherein the party agents in question misinterpreted the code to believe that if the forms had authorisation by the IEC, party logos were not an issue.
3. The ANC's electoral co-ordinator in the Province who is also the MEC for Local Government and Traditional Affairs also registered a complaint that ANC supporters and members wearing party t-shirts were reportedly turned away from voting stations when they tried to vote.

4. In Mdantsane and Potsdam, a voting station was allegedly branded with ANC banners and t-shirts despite parties being banned from setting up anywhere within 500 metres of a voting station.

Conclusion and Recommendations

It is suggested that more attention is paid to adequate training of election staff and in particular, mentoring presiding officers to be prepared to give guidance towards a systematic approach in finalising the counting process in a more inclusive and transparent manner. But more importantly emphasis needs to be placed on training on how to run elections and respond to issues on the ground decisively and promptly.

A report on declared disputes conflicts and irregularities

On the eve of announcing 2014 South African national and provincial election results, the chairperson of the Independent Electoral Commission (IEC) Pansy Tlakula declared the election process as free and fair. Like all the previous elections, the 2014 national and provincial elections saw political parties registering disputes, conflicts and irregularities in different polling stations in the Eastern Cape. Eighteen (18) political parties registered numerous complaints with the provincial IEC during the voting period (Daily Dispatch May 7).

In Sterkspruit, Economic Freedom Front (EFF) political party agent reported stuffed and unsealed ballot boxes found at a voting station. In other areas, other political parties such as Agang SA registered concern over the African National Congress (ANC) display of the party materials including banners and T-shirts near polling stations. Specific areas where these inci-

dences were noted are Mdantsane (NU15), Potsdam, and Buffalo Park's Billy Francis Hall in East London). The ANC was also dissatisfied. Through the provincial electoral coordinator, the party complained about their supporters who were reportedly turned away from voting stations because they wore ANC t-shirts.

The Congress of the People (Cope) was dissatisfied when their political party agents were

reportedly turned away in Mnquma (ward 23) because party agent forms did not display their party's symbol. When Afesis Corplan researchers visited the IEC offices in East London to verify complaints registered during voting period, researchers were informed by Siyabonga

Maki, an electoral official that the complaints received were dealt with and satisfactorily resolved speedily.

Source: Michelle Solomon. "Alleged irregularities mar start of Eastern Cape elections" Daily Dispatch online. (May 7, 2014) Available on, <http://www.dispatchlive.co.za/news/alleged-irregularities-mar-start-of-eastern-cape-elections/>

Table on Turnout and valid votes- 2014 - 1994

Election year	Eligible population	Registered population	Percentage turn out based on registered population	Percentage turn out based on eligible population	Spoilt or invalid votes
2014	3,794,352 ¹	3,240,059 ²	68,3 ³	85.3 ⁴	32 657 ⁵
2009	3,582,100 ⁶	3,056,559	74,9 ⁷		32,299 ⁸
2004	3,559,309	2,849,486	80,1	81,1	28,360 ⁹
1999	3,693,900 ¹⁰	2,454,543 ¹¹	89,9 ¹²		30,469 ¹³
1994	Not available	Not available	2,922,154	Not available	13,248 ¹⁴

END NOTES

¹ The figure is for South Africa Voting Age Population. <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=560298&sn=Detail> Accessed on 13 May 2014

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NORTHERN CAPE

Obakeng Bonokwane – Independent Researcher

Voting Process

The Independent Electoral Commission (IEC) in the Northern Cape reported that the elections went ahead well without major disruptions. And it also declared the general elections successful in the province. There were, however, long queues early in the morning of May 7 at different voting stations. However, by 17H30 about 52 percent of the registered voters had already made their mark, most voting stations opened on time, voting materials were also delivered on time to most voting stations, with the exception of a voting station in Ganspan, where voters had to wait until 8H30 to start voting because the scanning machine was not working. This was replaced

and voting got underway smoothly, albeit later than expected. No incidents of shortages of ballot papers were reported anywhere in the province. There were, however, three separate minor incidents of charges being laid against voters in Upington for taking pictures of ballot papers. This act is a prohibited act, as it is deemed to compromise the secrecy of the ballot.

Some unusual and creative steps had to be taken in some instances such as in Upington, where a bus had to be used as a voting station when a tent originally erected for use as a voting station was uprooted and blown off its poles by strong winds.

While there was no widespread ill-discipline among IEC officials and polling station staff, the IEC reports having to take action

against two staff in the Northern Cape. One official was removed from duty immediately after attempting to advise a voter where to mark her cross, while another official was found to have swapped his shifts with his wife and will be facing disciplinary action.

In the Dikgatlong sub-region, two ANC party agents were killed in a motor vehicle accident while travelling to Blikfontein polling station. In Platfontein and Greenpoint voting stations voters complained that there had to wait too long before they could cast their votes.¹

However, on the whole voting across the province went off fairly well and people exercised patience and tolerance throughout the day.

Voter Turnout 2009 General Elections

Registered Voters	Voter Turnout
554 900	421 490

Voter Turnout 2014 General Elections

Registered Voters	Voter Turnout
601 080	443 714

Evaluation of the IEC

The Independent Electoral Commission (IEC) in the Northern Cape delivered credible elections in totality. However, it is clear that while voting processes proceeded smoothly, the level of expertise and training varied among IEC staff and it appears that more intensive training with regard to the electoral law is required. In some voting stations people were turned away for wearing their political party regalia, which is improper, as the electoral law is clear that it is only party agents

who are not allowed to wear party regalia inside a voting station. The Northern Cape Province was the first province to declare results on 8 May, and this is due to the fact that it has the lowest number of voters, but, equally, that the IEC staff were effective. Voter turnout for the province stood at 71.29 percent.²

Declared Disputes, Conflicts and Irregularities

The general elections on May 7 went well, and without major disruptions. The only incident that

can be singled out is the altercation that took place in Galeshewe at the Boitumelo special school voting station. It was reported that an ANC member was thrown out of the voting station after she was accused of campaigning for her party inside the voting station. Other than that no disputes, conflicts or irregularities were reported.

The Role and Impact of Election Observers and the Media

Civil rights organisations were accredited by the independent

electoral commission to act as observers during the elections on 7 May 2014. There was an adequate presence of election observers in the province along with a good spread and representation of party agents. Election observers in the province were largely drawn from the South African Council of Churches (SACC), under the leadership of Canon Daniel Segalo, who serves as the provincial secretary of the SACC, assisted by Pastor

Moses Mani and Rev Mzwandile Thethani. The SACC will release a report on its Northern Cape observations in due course. Though the electoral process proceeded without any major incidences and disruptions there were interesting dynamics present in the province as well as some noteworthy and interesting events, such as the use of the bus as a voting station in Upington. This, however, was lighthearted and did not receive any media attention. Indeed, the

province as a whole did not receive much media attention.

END NOTES

- ¹ Sandi Kwon HOO, “voters slam long queues” DFA 8 May 2014

WESTERN CAPE

Dr Cherrel Africa, Head of the Political Studies Department, University of the Western Cape and Nkosikhulule Xhawulengweni Nyembezi, Co-chairperson of the Elections 2014 National Co-ordinating Forum.

Introduction

This update focuses on voting processes in the Western Cape. It appraises the environment in the run-up to the elections as well as the logistics of Election Day and the counting process. It also reviews the extent of declared disputes, conflicts and irregularities. As elections drew close, protest action and gang violence were raised as key areas of concern that could hamper the electoral process in the Western Cape. However, these factors were not identified as major impediments to the electoral process in the province. The anticipative approach adopted by the IEC in the Western Cape yielded dividends, as most concerns related to problems with the length of queues and materials rather than election-related violence.

The run-up to the elections

In the run-up to the elections,

AgangSA lodged a complaint about the fact that its posters were being removed in certain areas in DA-controlled Cape Town, and that the party struggled to secure permission to use community halls for meetings across the Western Cape. Specifically identified were areas on the Cape Flats, including Grassy Park, Lotus River, Lavender Hill and Parkwood.¹

In another incident a few days before the election, ballot boxes fell off a vehicle in transit and were found with the help of police. Rev. Sampson indicated that the ballot papers that were retrieved were isolated and removed from the allocated election materials.²

A more serious matter was the stoning of DA buses on their way to Nyanga by a group of people wearing ANC t-shirts.³ While ANC leaders intervened and ANC provincial chairman Marius Fransman condemned the violence, it is clear that political tension remains a concern in areas of the Western Cape. Another incident of concern was that a man wearing a Democratic Alliance t-shirt was stabbed and stoned to death in Philippi about two weeks

before the elections. DA councillor for the area, Nceba Hinana, said that DA supporters in the area live in fear and even though he could not confirm whether or not the man was a member of the DA, it was possible that his death was the result of wearing the t-shirt.⁴

Civil Society Organisations and Faith-based Organisations played an important role in election monitoring and encouraging citizens to vote; however, it is difficult to assess their impact so soon after the elections. The Archbishop of the Anglican Church in South Africa, Thabo Makgoba, urged South Africans to vote.⁵ This was done largely in response to the “Sidikiwe, Vukane, We are fed up” campaign, which was spearheaded by Ronnie Kasrils, to either spoil votes or vote for any party other than the ANC.⁶ Archbishop Makgoba, also the chairperson of the Electoral Code of Conduct Observer Commission in Western Cape, held a prayer meeting at the IEC offices in Bellville South, Cape Town, on Wednesday morning before heading to polling stations.⁷ Additionally on 28 April the shack dwellers movement, Abahlali BaseMjondolo, announced that

the movement would abandon its “no land, no house, no vote campaign” to cast a strategic vote on 7 May.⁸

Election Observation in the Province

Electoral processes were monitored by a wide range of observers. The South African Council of Churches, Election Monitoring Network, Congress of Traditional Leaders of South Africa, Western Cape Religious Leaders’ Forum, Ruminet Volunteer Centre, Muslim Judicial Council, The Ubuntu Centre, The Law Society of SA, Women’s National Coalition and the Commission on Gender Equality deployed about 120 observers throughout the province on Election Day. Additionally, a group of foreign observers from the United Kingdom, the United States of America, Jamaica, and Namibia toured voting stations in Cape Town to monitor the election process. Speaking to the media at the election results centre, an observer from Jamaica said they were impressed by the rate of voting and the resourcefulness of some polling station staff.

The IEC Results Centre

The IEC results centre was a hub of activity during the election period. This was especially so from 5 May (the day for special votes) through to 9 May as the last day of vote counting. The IEC held three media briefing sessions a day at the results centre (from 6 to 8 May) and a final briefing session on the afternoon of 9 May. At these briefing sessions updates on the election operations were provided. Updated information on how the IEC was processing the reported problems from various parts of the province was provided at the media briefing sessions. These briefing sessions were attended by representatives of political parties,

election observers, and members of the security services based at the results centre. On two occasions political party representatives also addressed the media during these briefing sessions – first at 22h00 on 7 May to reflect of the Election Day and at 13h00 on 9 May to reflect on the election results. These briefings form much of the basis for this election update.

Voting Processes in the Province

While more systematic research would be required on the matter, it appears that there were no reported acts of violence and intimidation against voters attempting to cast their ballot in the Western Cape. Security was also provided where necessary, with a heavy police presence at stations in areas affected by gang violence such as Manenberg and Heideveld.⁹

There were however several logistical problems in the Western Cape. One of the major problems was that many polling stations opened late. Queues at temporary voting stations in informal settlements snaked for many metres. Cape Town’s northern suburbs appeared to have experienced a higher voter turn-out than in 2009, according to IEC officials and party agents.

An election observer tour of some voting stations in some densely populated parts of the City of Cape Town on Election Day also revealed logistical glitches that resulted in some voting stations not being able to open at 07h00. For example, a polling station at Bhongolethu Primary School also opened late, at about 10h00, and the staff were overwhelmed.¹⁰ This situation necessitated an intervention by the election observer team, and, after discussions with IEC officials and party agents, it was decided

that the provincial commission would reinforce its complement at the station, with roving staff to assist. The police were called to control access from the school’s gate and not only at the entrance to the voting hall.

The election observer team noted that when stations opened late they were not able to cope with the voters. In some instances IEC officials didn’t have the attire or t-shirts that make IEC staff easy to identify on Election Day. The election observer team also brought to the attention of the IEC that voting at the Manenberg Community Centre was delayed because officials had to wait for the arrival of ballot boxes. The effect of these delays was long queues and voters at some polling stations having to wait several hours to cast their ballot. While some voters expressed anger at the delay, tolerance largely prevailed among those wanting to vote.¹¹

Speaking at the briefing session on 7 May, Western Cape IEC provincial head Rev. Courtney Sampson said running the first three hours of the election in the Western Cape was like “trying to ride a wild horse”.

By 21h00, closing time for voting stations, a number of stations in Khayelitsha – Cape Town’s biggest township – and in Philippi – the city’s largest informal settlement area – were still open and voters continued to stand in winding queues with the hope of casting their votes. Election observers had planned to concentrate the presence of their personnel in areas that were anticipated to have long lines after dark, after assessing the number of people who had voted in these stations by late afternoon against the expected number of voters as reflected in the voters’ roll.

There were complaints on Wednesday night from politi-

cians about the preparedness of the IEC. ANC provincial secretary Songezo Mjongile said voting stations across the city had run out of ballot papers. He indicated that there were problems in Gugulethu and Khayelitsha, where ballot papers ran out. He added that people had waited four to five hours and then they left and that it was very difficult then to get those voters back to the station. DA provincial elections manager Jaco Londt said they had “constantly reported problems with ballot papers running out at stations” and that it took “really long for more ballots to arrive”. He said voting stations in ward 23 in Atlantis were particularly troublesome.

At the afternoon briefing session on 7 May, Rev. Sampson indicated that one of the key challenges was the fact that many voters had opted to cast their ballot in areas outside their voting districts. As a result of this, the IEC had run out of ballot papers in some areas, including townships, Sea Point and Milnerton. Rev. Sampson was quoted as saying that “if people are moving into other voting stations, where they are not registered, we have to move ballot papers after them.”¹²

Conflicts, Irregularities and Declared Disputes

In terms of the processes on the day of the election and during counting, challenges were present largely because of logistical problems. Where problems were highlighted, they were dealt with in a swift and transparent manner, or referred to the IEC’s legal services department. Rev. Sampson said during one of the briefing sessions at the results centre that there had been a few objections in the Western Cape – “not many” – but that the commission had dealt with each one. Instances of campaigning on Election Day were reported. Furthermore, the wide-

spread practice of handing out of party T-shirts on Election Day was not prohibited by law, but IEC officials had engaged with political parties to discourage it.

An allegation of irregularities at a voting station in Philippi by AgangSA leader Mamphela Ramphele received a fair amount of media coverage. However, when the matter was investigated, it was found that the official had legitimately been moving material from one sub-station to another. In some areas where the IEC expected a particularly high voter turnout, a voting station was divided into several substations to speed up the process. The substations involved both fell within the same voting station in Philippi.¹³ According to an AgangSA spokesperson, who was part of AgangSA’s group of leaders at the party booth at the results centre, the party was still learning the formal procedures on how to lodge complaints with the IEC. This view was echoed by the EFF premier candidate Naziher Paulsen, who also announced at the briefing session on 7 May that his party has lodged a complaint with the IEC. He had expressed concern about reports of several people using the same ID book to vote. Other matters included an EFF complaint about music being played at a voting station in Barrydale, an AgangSA complaint about a voters’ roll only starting at N, and an ACDP complaint that one of its party agents was prevented from entering a counting centre.

Conclusion

The IEC in the Western Cape has emphasised that inequalities and disparities in infrastructure and facilities in the province played a major role in planning and managing the elections in the province. Rev. Sampson told a media briefing session at the election results centre that they had encoun-

tered “vast inequalities”, as some areas are very well resourced, while in others the IEC struggled just to find a little bit of space to put up a tent for a voting station because there is no infrastructure”.¹⁴

Nevertheless, the IEC together with election observers, the conflict resolution panel, voter education teams, and party agents working in conjunction with community structures ensured a peaceful process in the Western Cape. While there are underlying tensions, which remain a cause for concern in the province, the election in the Western Cape was challenging because of logistical problems rather than due to voter intimidation, electoral violence or fraud. Where problems were highlighted, they were dealt with in a swift and transparent manner. In sum, there was no opposition to the declared results by any of the political parties. Additionally, Rev. Sampson concluded that there were no issues that concerned the result auditors. He indicated that the IEC in the Western Cape is convinced that what it achieved “is to have a fair expression of the will of the people of the Western Cape”. The IEC in the Western Cape should therefore be commended for a job well done despite the numerous challenges it faced.

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LIMPOPO

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Introduction

The voter registration in the 2014 election has been recorded at 25,388,082; with a 73 per cent turnout. Thus, 18 654 771 people voted in the May 7 elections. This is the highest number of

voters recorded in the country, although slightly lower in terms of the percentage who registered.¹ The highest percentage of voter turnout was recorded in the 1999 election, where 89.3 per cent of voters participated. Therefore, at national level, the percentage of voters has declined slightly while the number of voters increased. This also indicates that the number of people who register for

elections is increasing election on election.

Limpopo province has however recorded the lowest percentage when it comes to voter turnout compared to all provinces in the country. Figure 1 shows that Limpopo has been having a steady decline in terms of voter turnout since the first measured voter turnout in 1999 elections.

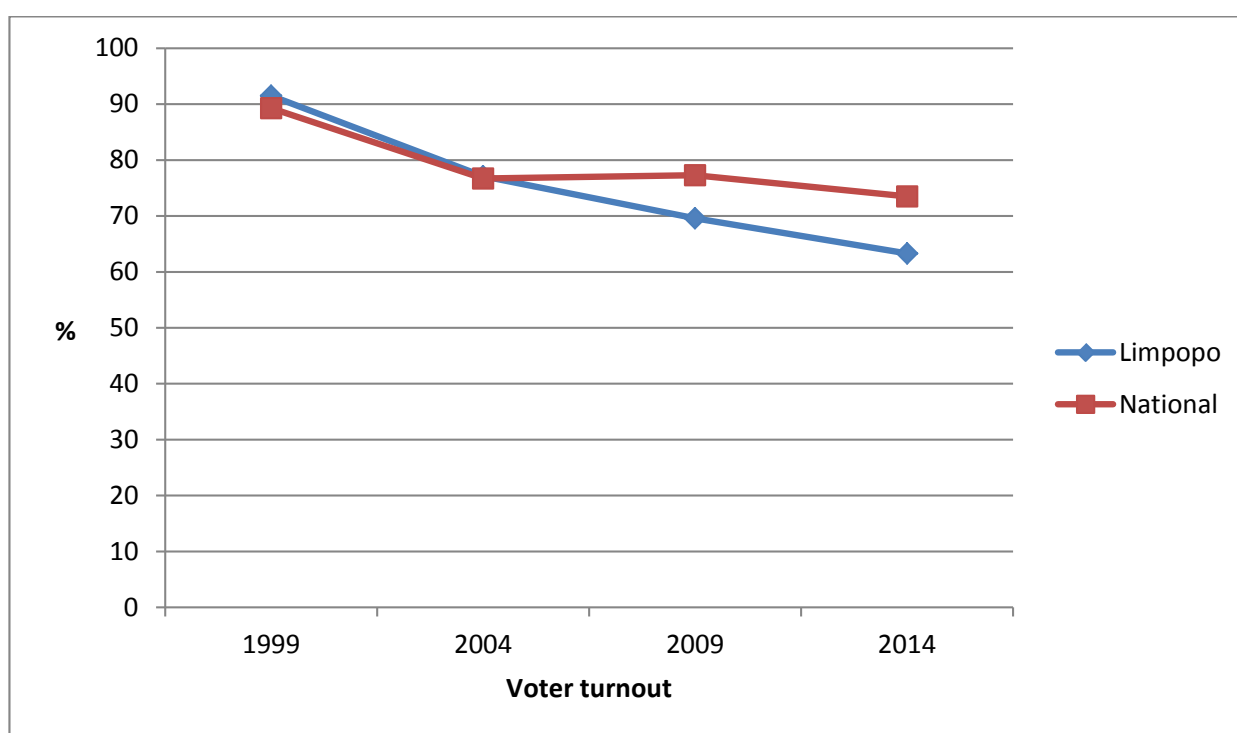


Figure 1 Election turnout, Limpopo and National comparison

The 2014 elections also indicate that despite a rise in voter registration in Limpopo (from 2.2 million voters in 2009 to 2.4 million voters in 2014), there has been a decline in the actual number of voters who turned out in the May 7 election. In 2009, about 1 570 592 voters participated in elections in the Limpopo province. The 2014 elections, however, show a decline in the actual number of voters who participated in the elections in Lim-

popo. Approximately 1 543 986 voters participated in the May 7 elections. While the decline is only in tens of thousands, it is significant in the sense that it is measured against an increase in voter registration.

It is important to explain why Limpopo is experiencing the decline in voter turnout, particularly the sudden decline in the 2014 elections. The question to consider is why did Limpopo register

the lowest turnout in the country despite the province having recorded an increase in the voter registration?

The atmosphere in Limpopo in the run-up to the May 7 election

The 2014 elections have been tenser in Limpopo than in other provinces – and this is in a province that compared to the others has demonstrated relatively high-

er levels of peace and stability during electoral periods historically. In 2014, there have been community–state tensions in Limpopo at unprecedented levels in the period leading up towards elections. The Electoral Commission in the province has recorded approximately 30 incidents involving confrontations between political parties, communities and also staff from the electoral commission. Most of those tensions were service-delivery-related and did not necessarily derive specifically from perceived irregularities in the electoral process. Though unrelated to the electoral process, these tensions, however, bore the potential to impact upon the elections on May 7, the actual Election Day, which they appear to have done.

There were confrontations reported during voting day in Limpopo. It was reported that in Tzaneen “voting materials were damaged after an attack on the polling station [the previous night]”.² Electoral commission staff were attacked in Tickeyline in Limpopo, resulting in political parties protesting the election results, stating that the ballot papers were contaminated.³

In a strange turn of events, the electoral commission ordered a recounting of votes at a voting station in Musina, Limpopo, after it emerged that the Democratic Alliance (DA) and Economic Freedom Fighters (EFF) did not secure a single vote on the national ballot after the two parties secured a combined total of 200 votes on the provincial ballot.⁴ It appeared odd that of all the 200 people who voted for either one of these two parties on the provincial ballot, not a single one of them had voted for either of the two parties on the national ballot.

Adding to the tension in Limpopo is also the relationship between farm workers and their employers. In one incident, a Limpopo farmer threatened to dismiss his workers if they did not provide him proof that they voted for his favourite party.⁵ While the electoral commission decided to prohibit voters from taking pictures of their ballots, as this might unduly influence how people vote, this type of remarks impinge upon free and fair elections.

The lower voter turnout in Limpopo might have been influenced by the tensions that characterised the province in the period leading up towards the elections. The unhappiness and tensions that have characterised state–community relations caused by unhappiness about service delivery and related protests may have played out through the electoral process, resulting in acts of intimidation during voter registration and voter education initiatives. Such events and continuing tensions most likely affected voters’ perceptions regarding safety on Election Day.

The possible explanation that the lower voter turnout in Limpopo might have to do with a general creeping sense of apathy does not accord with the fact that the province experienced an increase in voter registration as recorded on the 2014 voters’ roll. An increase in voter registration shows that there is interest in voting and participating in elections in Limpopo Province. The decline in the turnout in Limpopo appears to be directly influenced by perceptions of voter safety on Election Day as well as a likely demonstration of an increasing distrust in the current set of political leaders.

The 2009 elections in Limpopo were not as tense as the 2014 elections. In 2009 there were not

as many incidents of service-delivery protests as there were in the period leading up towards the 2014 elections, nor were there deliberate acts of disruption as were reported when police were called in to address “violent protests that halted the casting of special votes in eight voting stations in Maruleng, Limpopo, after Independent Electoral Commission (IEC) officials working there were threatened with violence”.⁶ It is the first time during an electoral period that the Limpopo province has had violent protests.

Conclusion

Service-delivery protests might have been the single main influencer of perceptions of voter safety leading up to the 2014 elections. There is a need to conduct further research on the extent to which the protests have impacted the voter turnout in the 2014 elections in general.

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ELECTION UPDATE 2014



SA ELECTIONS 2014: THE PROBLEMS OF UNREGULATED PRIVATE FUNDING OF POLITICAL PARTIES - PROTESTS AND THE PROVINCIAL RESULTS PATTERNS

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A DETECTIVE STORY: FOLLOWING THE MONEY TO UNDERSTAND THE IN- FLUENCE OF SECRET POLITICAL PAR- TY FUNDING ON THE 2014 ELECTIONS

Karabo Rajuli - My Vote Counts



I. INTRODUCTION

Political parties are the centre-stage of South Africa's democracy, as their members – our representatives – determine the laws and public policy that shape the future. 50 political parties registered to contest South Africa's national and provincial elections on 7 May 2014. Of the 20 parties that competed nationally,

only 13 secured positions in Parliament, with the bottom eight parties sharing below 10% of the national vote combined (see table below). Leadership, campaign strategy, and party policy certainly played important roles in determining the composition of the National Assembly. However, there is an underlying green story – not of the environmental kind, and not chiefly one that involves

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envy: it's the story of money. In analysing the performance of these parties, we know precious little about their total advertising costs, the size of their staff, how much money was spent on policy development and consultants, where their funds came from, and what their overall income and expenditure looks like.

The run-up to the 2014 nation-

al and provincial elections anticipated a shift in the political landscape, with large campaign budgets invested in the most competitive elections yet. Yet despite this, the outcomes of electoral polls reflected only marginal shifts. The ANC won a clear majority nationally, and control of all provinces, except for the Western Cape, where the DA retained control. Although the rea-

sons for this may be complex, as Anthony Butler suggested in his 2 May Business Day Column, there is no doubt that money in politics played a significant role in entrenching existing patterns of ANC power (including through its use of the state apparatus) and limiting the space for new entrants, thereby weakening the electoral system as a whole.¹

Party	Valid Votes	% Of total votes	Seats in the National Assembly
African National Congress (ANC)	11,436,921	62.15%	249
Democratic Alliance (DA)	4,091,584	22.23%	89
Economic Freedom Fighters (EFF)	1,169,259	6.35%	25
Inkatha Freedom Party (IFP)	441,854	2.40%	10
National Freedom Party (NFP)	288,742	1.57%	6
United Democratic Movement (UDM)	184,636	1.00%	4
Vryheidsfront Plus (VF PLUS)	165,715	0.90%	4
Congress of the People (COPE)	123,235	0.67%	3
African Christian Democrat Party (ACDP)	104,039	0.57%	3
AIC	97,642	0.53%	3
AGANG SA	52,350	0.28%	2
Pan African Congress (PAC)	37,784	0.21%	1
African People's Convention (APC)	30,676	0.17%	1

Source: Independent Electorate Commission: <http://www.elections.org.za/resultsNPE2014/>

II. MONEY IN THE 2014 ELECTIONS

“The more funds a political party has at its disposal, the more effective the campaign it can run. This places new entrants to the political scene at a disadvantage because they do not qualify for election funding as they do not have any seats in the legislature” – Pierre De Vos²

It is always critical to know who funds political parties and on what terms. But the influence of money in political parties becomes even more pressing during election season. As campaign

budgets rapidly rise, financial need meets political opportunity: individuals, corporations and foreign governments try to exercise their influence and power through making donations – both of a financial and non-financial nature – to parties. Though donations made to parties may be made in good faith, or in support of a party's already defined policy posture, in the absence of any regulation, and especially in the absence of disclosure, the public at large simply has no idea who is influencing which party and in what ways.

Campaign finance in South

Africa, like in most other democracies, is raised by political parties with the intention of “influenc[ing] the outcome of elections as well as [funding] the parties' routine operations.” All political parties registered in the national elections were required to pay a minimum deposit of R200 000, and an additional R45 000 per province contested. In 2009, it is estimated that the ANC spent around R200 million on its campaign generally. Total campaign spending on the 2014 elections remains unknown. However, the ANC and the DA are estimated to have spent over R100 million on their campaigns

in the Gauteng province alone.⁴

Advertising budgets from larger political parties provide useful insights. We know that the ANC spent an estimated R17 million on over 600 advertising spots on television prior to the voting period, and the DA spent an estimated R13.1 million on 377 spots.⁵ In addition, the ANC is known to have spent around R1 – R2 million on 52 electronic billboards countrywide, with some being placed in prime locations, such as the M1 highway in Johannesburg.⁶ Budget constraints meant smaller parties did not use TV as a campaign medium, and instead used the free party election broadcast slots allocated by the public broadcaster on its radio platforms, provided to each party contesting the election.

The Independent Electoral Commission (IEC) budget for this year's elections was a little over R1.5 billion. Of this budget allocation, through the Represented Political Parties Fund (RPPF), political parties represented in Parliament received a combined R114.8 million in 2013/2014. This funded 14 political parties and covered costs of staff, travel, accommodation, meetings, rallies and other expenses related to furthering political, organizational, policy development, party outreach, communication and campaigning objectives. Of the R88 million that the IEC distributed to parties in 2009, R61 million went to the ANC, R10.5 million to the DA and R5.4 million to the Inkatha Freedom Party. The proportional distribution of funds in this election saw the ANC receive about five and a half times more of the taxpayer's money in 2009 as the next two parties combined.⁷ In analysing the impact of these public funds, Susan Booysen and Grant Masterson argue that the proportional

allocation of public funds does little to help the development of multi-party democracy – a foundational constitutional requirement. Rather, the situation helps consolidate the dominance of already strong and well-resourced parties, at the expense of other smaller or new political parties.⁸

In addition to this public source, political parties attempt to raise funds through party-owned business interests, membership fees and funds raised by regional branches.⁹ Compared with the amount that political parties receive from private donors, the public funding and party funding figures are significantly lower. Private sources of funding to political parties increased from 100 million in 1994, to an estimated 550 million leading up to the 2009 elections. The ANC alone raised R1.66 billion between 2007 and 2012.¹¹ While comprehensive data on private political funding is not available, the approximate 500% increase in 1994 to more than R550 million in 2009 elections is telling. All this occurs in an environment of complete secrecy. Political parties are able to negotiate these secret deals, with no requirement to disclose the source or amounts of private donations, and have no limits on budgets for campaign and operation expenditure.¹²

III. THE ELECTORAL CHALLENGE OF PRIVATE FUNDING

Case Study: Transparency – AgangSA and the Economic Freedom Fighters (EFF) in the 2014 elections:

For new entrants into the political scene, the allure of private funding is particularly powerful, as they receive no public funding. The EFF attempted to raise funds through membership fees,

selling merchandise (for instance the R80 red beret) and donations from party members. However, early on in the election season the EFF recognised that the funds required for a campaign were far greater than the revenues generated from donations, membership fees and the sale of merchandise. Moreover, in public statements the party spoke of the possible negative impact insufficient campaign funds would have on the party's electoral outcomes.¹³

Indeed, the party was not without scandal in the raising of private funds to support its campaign expenditure, particularly in the sourcing of alleged funds from foreign governments. The allegations by the ruling party that EFF had accepted funds from allies of Zimbabwean President Robert Mugabe were denied by the party.¹⁴ Despite these challenges, the EFF was able to garner sufficient votes to position itself as the third-largest party represented in the National Assembly. It also succeeded in becoming the official opposition in Limpopo. However, as with other political parties that have found themselves in the midst of scandals through the eliciting of private funds, the lack of transparency (publicly disclosed accounts) leaves questions of accountability and ethical administration open to endless speculation.

Similarly, AgangSA struggled to stay afloat amid high campaign expenditure. The party is said to have estimated that it required R960 000 to effectively campaign to its targeted 4.8 million voters.¹⁵ However, within months of the 2014 elections, allegations emerged that the party was struggling to meet costs both for campaign materials and staff salaries. Party insiders spoke of the difficulties the party faced in raising money: "Most companies, organ-

isations and individuals do not offer support in cash, it is mostly in kind... by allowing the party to use venues for free and printing T-shirts, among others.”¹⁶ As with the EFF, the ANC and other political opponents made claims that the party was being funded by foreign organisations in an attempt to “destabilise” its momentum.¹⁷ Agang’s financial woes reached their climax in the brief but damaging merger with the DA, allegedly driven by a wealthy private donor. The public trust quotient was lost, and the timing of this failed merger proved costly to AgangSA.

The problems associated with a lack of transparency

Both cases illustrate the impact of party funding on political campaigning, and pose serious questions about the viability of a true representative multi-party democracy in the current, unregulated environment. In different ways, both cases point to the growing political inequality. The scandals which emerged during both these campaigns point to the lack of public accountability and transparency. The voting public were left to merely trust public statements made by the parties, without the necessary evidence as assurance. Despite this, contesting political parties placed regulation low on their 2014 campaign agenda, if at all. Demian and Du Toit provide useful insights in this regard. They note that while political parties spoke of the need for transparency, their election manifestos failed to reflect this commitment:

In the ANC manifesto, there are only two mentions of transparency. The DA and EFF manifestos make no reference to the word, while there is only one reference to

in the COPE manifesto. The NFP manifesto, however, contains 8 references to it, amongst others in relation to crime, corruption, and hospital management.¹⁸

The lack of commitment by political parties to enact legislation on the private sources of funding for political parties was confirmed again, just a month shy of the May 7 elections. In March 2014, a broad base of civil society and mass-based organisations sent a letter to 14 political parties, requesting that they reveal the sources of their private funding for the previous financial year (1 March 2013 – 28 February 2014). None of the 14 political parties disclosed this information as requested, despite it being essential for voters to make informed decisions.

The incentives for private donors to contribute in this unregulated environment are best summed up by statements made in the court documents from the Brett Kebble estate. On 30 May 2014, the Western Cape High Court handed down its decisions in *African National Congress v Steenkamp N.O and Others* and ordered the ANC to return the secret R14 million donation. Kebble had paid R25 million to the ANC, party politicians, the DA and journalists. The ANC explains why the 2004 donation was made:

In return for the disposition, Kebble obtained the benefit of access to political decision-makers and lawmakers that would be beneficial to him both directly and indirectly by virtue of its benefits to companies in which he had an interest.¹⁹

This crude buying of influence and special favours to gain ac-

cess to “the inner circle of public decision-makers” drives many of the practices in secret private donations to political parties. Examples of this abound.

IV. TOWARDS A REGULATED ENVIRONMENT

Currently in South Africa there are no laws in place to regulate private donations to political parties. Party funding laws are intended to reduce the potential for corruption, or even the appearance of corruption, increase political equality and establish a culture of transparency. The motives and focus of the regulation vary to a large extent, but at least four distinct reasons can be identified for the introduction of laws:

- i. regulation prevents abuse and the buying of political influence;
- ii. regulation enhances fair competition among competing parties;
- iii. regulation empowers voters to become engaged and active citizens; and
- iv. regulation strengthens political parties, making them more open, accountable and effective democratic actors.

Disclosure

Disclosure tends to be the most popular form of regulatory reform. It is a key means to confront conflicts of interest and improper influence on parties and candidates. It is also an essential tool to ensure voters are able to make an informed decision. For opposition parties in South Africa, the option of disclosure continues to be a bone of contention, with such parties arguing that such disclosure will lead to problems of victimisation of their business donors by the governing party, and a possible loss of financial support. But this needn’t be the case.

Pienaar (2014) offers a useful discussion on some of the provisions this form of regulation could take. To prevent this mechanism from becoming overly cumbersome, given the complexities, he suggests disclosure thresholds, where anonymity would be permitted for smaller donations.²⁰ Whether the threshold should be R1000, R10,000 or R50,000 needs to be discussed. Importantly, such regulation would require some form of independent monitoring and enforcement agency, and the continued vigilance of civil society.

In this discussion on disclosure and transparency, a Democracy Fund has been offered as a suggested alternative. Managed by an independent body, corporate donations would be channelled into this fund, rather than directly to a particular political party. While it is an interesting proposition, concerns about this option centre on how funds would be distributed, and whether the proportional system, currently favoured by South Africa's public funding, would simply repeat the inequities and problems of pure proportional distribution inherent in the current public funding system. Moreover, this affects the ability of donors choosing to donate to a party of their choice, and would compel the donor to effectively be providing resources to a party to which it may not in fact want to donate.

Bans and caps on donations and expenditure

In this scenario, bans and caps on donations would target "high-risk donors" to curb corruption. It seems relatively uncontroversial that foreign governments should not be permitted to donate to political parties because of the obvious potential and scale of abuse and the exercise of inordinate in-

fluence, which may even extend to undermining a country's sovereignty. Expenditure limits, on the other hand, could focus on limiting excessive and wasteful goods and services, especially those that serve to distance candidates from the electorate or that create the impression of vote-buying.²¹ The risk of this form of regulation lies in "excessively strict legal limits", which will drive such donations underground, through unreported illegal transfers.²²

Public Funding

While public funding is already provided for in South Africa under the Political Parties Fund, the opaque manner in which it is distributed and reported does little to promote the constitutional vision of an open multiparty democracy. In addition, more appropriate measures could be used to bring campaign costs down. One might be the idea of "patriot rands", a concept that is gaining momentum in the US.²³ Here, each tax-paying citizen would be allocated a yearly tax-deductible "democracy cheque", which could be donated to any political party in a discreet, anonymous and accountable manner when tax returns are filed. For those in the informal economy, a similar mechanism could be implemented through the banking system, where a similar "democracy cheque" could be donated electronically to political parties in the national and provincial legislatures. This has the potential to raise billions of much-needed money. Most importantly, however, it democratises party finance in a way that is far more efficient than the current R330 million of public money spent through the Parliamentary and Constituency Allowances Policy.

Nassmacher provides a useful caveat in thinking through political

finance regimes, with his concept of the "magic quadrangle". Essentially, he argues that for any form of regulation to be implementable, it must include the four elements of transparency, professional accounting, administrative practicality, and the possibility of sanctions in the event of violations. None of these, he argues, can be ignored; none of them can stand alone in any effort to frame and implement rules to regulate the flow of money into politics.²⁴ In considering international experience, February notes that there is no panacea for the influence of money on the political system. In the US, the UK and Germany, regulation has helped create greater transparency, yet scandals still occur.²⁵ Moreover, funding regulation regimes often become "a patchwork of different laws and regulations with numerous loopholes and poor possibilities of enforcement".²⁶

Given the plethora of options available and the complexity of the task, most analysts agree that whichever path is chosen to regulate private funding, it should take into consideration the specific socio-economic, political and legal environment, for the legislation to be effective.

The issue of funding to political parties ought to open a debate on much more fundamental principles, such as: do corporations have the right to make financial donations, when section 19 of the Constitution applies specifically to citizens? What impact does this have on the ANC's Chancellor House or on the ability of parties in general to own investment vehicles? Are political parties' private or public entities operating under the current South African Constitution?

V. CONCLUSION

The South African National and Provincial elections were declared free and fair for the fifth time since 1994, and proceeded mostly peacefully. While this is an achievement to acknowledge, Bruce notes that “the deeper pre-conditions for political participation in elections” remain unresolved.²⁷ The corrosive effect of money in politics, particularly the secrecy around private donations to political parties, threatens the very heart of true political participation in our 20-year-old democracy.

South African political analyst Steven Friedman’s incisive observations on the problem of money in politics are telling:

The damage this does to democracy is obvious: decisions are shaped not by the needs of voters but the interests of people with money. Those who donate do not have to demand something in return – even if the money gets the donor into the inner circle of public decision-makers, it may buy influence at democracy’s expense. It would take great naivety to imagine that spending time with politicians does not offer opportunities to pass [off] self-interest ... as public interest.

While the threat to democracy is clear, we have no laws that require political parties to say where they get their money, let alone to regulate the size of donations (since the more donors give, the more influence they have).²⁸

Given the deeply problematic impact the unregulated environment

poses in South Africa, and South Africa’s obligation to regulate private funding of parties in line with conventions with the African Union and the United Nations, the time is ripe for regulation, which will mitigate political inequality, corruption and lack of accountability.

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GAUTENG

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Provincial Results Analysis

2009 Results in Gauteng

	ANC	DA	COPE	VF
National	64.761%	21.268%	7.776%	1.376%
Provincial	64.036%	21.857%	7.778%	1.628%

Source: IEC website

<http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

2014 Results in Gauteng

	National Ballot			Provincial Ballot		
	ANC	DA	EFF	ANC	DA	EFF
Gauteng	54.92%	28.52%	10.26%	53.59%	30.78%	10.3%
Johannesburg	53.63%	29.762%	10.149%	52.28%	32.367%	10.13%
Tshwane	50.963%	31.324%	11.414%	49.306%	33.751%	11.509%
Ekurhuleni	56.409%	26.883%	10.653%	55.074%	29.046%	10.615%

Source: IEC website

<http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

The above data shows that in this 2014 national election the ANC lost close to 10% of the vote-share in Gauteng. The DA gained about 9%, which is a significant increase, while Cope experienced a substantial loss in voter support. The EFF, with about 10% of the vote-share, was able to garner a higher percentage of the vote-share in Gauteng Province than Cope did in 2009.

The above data shows that in 2009 in the province of Gauteng, the provincial vote-share and the national vote-share of the major parties are almost identical. Inter-

estingly in 2014, however, there seems to be a noteworthy difference between the percentage share of support for the two major parties between the provincial and national ballot. Across the major urban centres of Gauteng, the ANC received around 1% less of the vote-share from the national to provincial ballot and the DA accumulated a higher percentage (+3%) of votes in the province compared to nationally, demonstrating a small amount of likely vote splitting or a different preference for province as against national. While the numbers are not sufficient to make the claim that

Gauteng residents are vote-splitting, it does show that they have become more open to the practice of voting for a certain party nationally and voting for a different party provincially. The numbers show that the DA received a substantially higher number of votes in the province compared to nationally. These numbers may serve to justify the reportedly large budget allocated to Mmusi Maimane’s campaign to be the premier of the province,¹ or that perhaps voters are beginning to separate national and provincial issues when casting their ballot. The DA’s better showing pro-

vincially may illustrate the electorate's anger at perceived ANC policy in the province, such as the controversial e-toll, or the reference to urbanised and upwardly mobile black citizens as "clever blacks", when complaining about corruption and nepotism. In ad-

dition, internal fractures within the Gauteng ANC as well as the difference in posture between the Gauteng ANC and the Jacob Zuma-led ANC nationally may account in part for both the lower voter turnout as well as the shift in party support patterns. The

problems of speedy socio-economic and workplace transformation may have been the impetus for the EFF's markedly different showing in Gauteng, in which it shared 10.30% of the provincial vote as opposed to its national share of 6.35%.

Gauteng Results with Population Statistics

Party	2014				2009		
	Votes Cast	Party % Vote share	Party Votes Share % as a proportion of registered Voters	Party Votes Share % as a proportion of whole Provincial Voting Age Population	Votes Cast	Party % Vote Share	Party Votes Share % as a proportion of registered Voters
ANC	2'348'564	53.6%	38.7	29.9	2'662'013	64.0	47.9
DA	1'349'001	30.8%	22.2	17.2	908'616	21.9	16.4
EFF	451'318	10.3%	7.4	5.7	-	-	-
IFP	34'240	0.8%	0.6	0.4	61'856	1.5	1.1
NFP	20'733	0.5%	0.3	0.3	-	-	-
UDM	19'486	0.4%	0.3	0.2	16'480	0.4	0.3
VF PLUS	52'436	1.2%	0.9	0.7	67'660	1.6	1.2

VAP= Voting Age Population (estimate based on Census 2011)

The table above indicates that the ANC received 53.6% of the total number of votes cast in the province, but, interestingly, the ANC received only 38% of the vote-share of the entire Gauteng population that is registered to vote. The ANC's vote-share percentage drops even lower (29.9%) when its percentage of vote-share is calculated against the entire population of Gauteng that is eli-

gible to vote.

The election results in a major black township may empirically illuminate the support patterns of the province generally. The former "white" suburban areas have become racially mixed over the past 20 years, so taking results from these areas does not enable one to get a grasp of how a particular race is voting. Former Afri-

can townships, however, remain racially homogeneous and comprise exclusively black African voters. Tracking the results from areas such as these may give an indication on a sample of the African population in Johannesburg which constitutes a significant portion of the electorate of the city and would be important data in parties' preparations for the 2016 local government elections.

Average Party support patterns in Alexandra Township

	National	Province	National	Province
	2009	2009	2014	2014
ANC	83.73	82.07%	66.77	67.2%
DA	1.77	2.03%	6.95	7.6%
COPE	8.64	8.6%	-	0.52%
EFF	-	-	18.44	18%

Source: IEC website

The results from Alexandra Township show that the ANC maintained its dominant electoral support-base in the township in the 2009 elections, with an average support of 82.07% across 32 voting districts. The opposition percentage support amounted to approximately 17%, with COPE taking the larger portion of that percentage at 8.6%. The average percentage support for the ANC across 32 voting districts inside Alexandra in the 2014 provincial election indicates that the ANC remains dominant, but its average support percentage dropped to 67.2%, which resulted in the opposition support share increasing to approximately 22%. The bulk of that support now lies with the Economic Freedom Fighters, with 18% across the voting stations in Alexandra. The DA gained 5% percentage points from 2009 and had a 7.6% share of the overall vote in Alexandra in 2014.

These patterns demonstrate that while the ANC's support has decreased significantly, the drop has been insufficient to constitute a major crisis for the party, while the DA has increased its vote-share by 6%, demonstrating the slow but steady inroads it is making into the black African electorate.

Impact of Protests

As the earlier editions of the Election Update documented, a plethora of community protests, sometimes referred to as "service delivery" protests, have sometimes spontaneously erupted

across many parts of South Africa. The data obtained from studies conducted by Municipal IQ indicates that, on average, Gauteng is the province with the highest volume of protests in South Africa. The data obtained from studies conducted by Municipal IQ indicates that, on average, Gauteng is the province with the highest volume of protests in South Africa.² Because there is yet to be a definitive study conducted on the number of protests that took place in the period immediately preceding the elections of 2014, it is difficult to say conclusively that there was an upsurge in the frequency and severity of protests in Gauteng immediately prior to the 2014 Election Day, relative to other times over the last five years. However, it can be asserted that there appears to have been an increase in the number of protests that occurred in the period immediately preceding the election, judging from the amount of media coverage that the protests were able to generate.

To provide a comprehensive evaluation of the impact of protests on the province of Gauteng, one must observe the way that protests were able to colour the political climate in the lead-up to the elections as well as assess whether the protests had any tangible and identifiable effect on the election, most directly evidenced from the levels of voter turnout and party support patterns.

We use Bekkersdal as a case study through which to ascertain the likely impact of protests in Gauteng, because it was the

most high-profile flashpoint in Gauteng during the 2014 election.

From mid-2013, Bekkersdal saw numerous violent protests, and following offensive comments made by the then premier of Gauteng, Nomvula Mokonyane, during an address to a crowd following a spate of quite violent and disruptive protests, the relationship between the community and the governing party soured. The precarious relationship reached a tipping-point on 13 March 2014, when ANC members doing door-to-door campaigning were driven out from the area, with residents pelting them with stones.³ The area was thus declared a no-go area for the ANC.

The area received a significant amount of media coverage, and election-related disruptions included the torching of an Independent Electoral Commission (IEC) tent during the last registration-drive weekend, which resulted in Bekkersdal being identified by the IEC as one of four hotspots for election violence across the country. On the morning of Election Day, with heavy police and military presence in the area, some residents staged a protest, with the burning of tyres and blockading of roads that led to some polling stations.⁴

An examination of the election results in the area, however, provides a slightly better empirical understanding of the impact of the protests.

ANC percentage support in Bekkersdal

Voting station	2009 Result % on Provincial Ballot	2009 Result % on National Ballot	2014 Result % on Provincial Ballot	2014 Result % on National Ballot
33270162	88.54	88.6	81.8	81.8
33270151	89.95	89.85	78.8	78.8
33270173	91.2	89.76	80	80.15
33270274	87.4	87.4	79.17	79.17
33270094	76.8	76.7	60	60.74
33270072	78.2	78.07	66.5	66.5
33270083	70.9	72.12	59	59.57
33270342	-	-	77.2	76.08
33270140	90.33	91.12	75.3	76.93
33270061	83.76	84.03	68.15	68.22
33270207	80.16	79.37	77.73	78.23
33270139	85.6	85.76	77.73	78.8
Average	83.9	83.88	73.4	73.74

Source: IEC website

<http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

DA percentage support in VDs in Bekkersdal Provincial Ballot

Voting Station	2009 Result % on Provincial Ballot	2009 Result % on National Ballot	2014 Result % on Provincial Ballot	2014 Result % on National Ballot
33270162	0.5	0.34	3.6	3.55
33270151	0.3	0.17	9.6	9.58
33270173	0.2	0	6.8	6.84
33270274	0.7	0.5	7.4	7.4
33270094	0.9	0.93	5.5	5.48
33270072	0.8	0.72	5.1	5.08
33270083	1.3	0.96	5.6	0
33270342	-	-	8.9	8.01
33270140	0.4	0.31	5.9	5
33270061	0.8	0.98	8.3	8.03
33270207	0	0.7	2.3	1.48
33270139	0.6	0.65	5.3	4.27
Average	0.6	0.57	6.2	5.39

Source: IEC website

<http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

The average turnout for voting districts in Bekkersdal in 2009 was 59.9%. The average turnout for voting districts in Bekkersdal in 2014 was 58.7%.

The above data from voting districts located in Bekkersdal illustrates that in an area with constant and violent protests, there was not much change in the

percentage turnout of registered voters in the area from 2009 to 2014. The common assumption would be that in areas that have seen constant protests, the turnout may drop from election to election. The data in Bekkersdal shows that the turnout percentage in the previous election was close to 20% lower than the national average, and that percentage did

not drop by much in this year's election. The protests therefore did not have a significant impact on the turnout of voters in the 2014 elections, but is out of sync with both provincial and national voter turnout levels.

The results in Bekkersdal are not particularly remarkable when examined against the backdrop

of the province in general. In Gauteng generally, the ANC lost around 10%, while the DA gained about 9%. Therefore, the results patterns from 2009 and 2014 in Bekkersdal do not deviate markedly from the province broadly, and seem by and large to mirror the results in Gauteng generally. It would appear that the DA's engagement with issues in Bekkersdal and other protest hotspots was unable to induce a significant increase of support at the polls, even though, based on a similar turnout percentage to 2009, the DA increased its share

of the vote by 5%, which is significant but not sufficiently substantial to indicate a change in voter support patterns.

END NOTES

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NORTH WEST

Dr Ina Gouws – North West University (Vaal Triangle Campus)

The impact of protests on the electoral period

The North West Province experienced several service delivery protests and an ongoing labour protest in the run-up to the elections. Opposition parties in the province banked on doing well in the elections on the back of these protests, which were largely seen as evidence of discontent with ANC-led municipal service delivery. The North West, as with Mpumalanga, Free State and Limpopo, is seen as an ANC stronghold, even if there is a definite steady decline in support. There was no doubt that the ANC would win in the North West; the question was whether it would lose significant support in the wake of violent protests. The last section of this update takes a look at whether this was the case.

The one big impact of protests is the fact that the IEC ended up identifying several hotspots in North West where additional security was deployed around Election Day.¹ Head of IEC North West, Tumelontle Thiba, said all the places that were earmarked as hotspots were actually relatively calm, except for Khunotswane in the Zeerust area and a bit of confusion on day one and two of the special votes in Goseleka in the Khukwana area.

Each identified "hotspot" is dealt with separately.

Bojanala Region: Ledig (Moses Kottane), Rustenburg Mines and Madibeng

During protests over water and sanitation in the township of Mothutlung (Madibeng) earlier in 2014, four protesters were killed at the hand of police officers. Because of this, residents of Mothutlung vowed to boycott the elections. The consequences for the ANC were contemptuous criticism and allegations of corruption and cronyism. Eventually the mayor and two council officials stepped down before the elections.² The ANC and EFF went head to head in this area and both parties accused each other of electioneering close to voting stations in the area. On Election Day, however, the area remained peaceful.

The ongoing labour strikes in the platinum belt put pressure on the IEC, and the Rustenburg mines area was therefore also declared a hotspot. Marikana in particular became a no-go area for ANC campaigners, and the EFF used the opportunity to move in and declare its support for disillusioned mine workers. On Election Day most voting stations opened late, and allegations were made that the IEC and ANC tried to sabotage what they feared would become an EFF stronghold. The Marikana massacre and the strikes that followed dashed ANC hopes of getting above 70% of the vote in the province. The EFF entering the field also dashed hopes for the DA of capitalising on votes in the mining region.

Ngaka Modiri Molema Region: Khunotswane, Ditsobotla (Itsoseng and Matile I) and Mmasuthe (Mafikeng)

Protests in Khunotswane village near Zeerust turned violent and disrupted schooling in the district the day before elections May 7. By then the protest have been going on for three weeks. A traditional council office and a councillor's house were burnt down. Residents vowed to boycott elections unless provincial government intervened, and once again residents called for the resignation of municipal officials. There were no reports of violence on Election Day.

Dr Ruth Segomotsi Mompati Region: Taung (Seeding) and Lekwa-Teemane (Bloemhof)

Bloemhof (Boitumelong) caused serious concerns during the period leading up to the elections. Service delivery protests earlier in 2014 turned violent and disruptive. The demand was once again for the removal of municipal officials because of tender fraud and corruption, which the ANC refused to do. Some officials had to be evacuated in the midst of violent protests. Residents seemed to have adhered to their threat to boycott the elections. A large police presence on Election Day was supposed to reassure voters and motivate them to vote. Business Day reported that the police presence seemed to have had the opposite effect. Traumatized residents feared the presence of police would provoke more violence, and therefore the voter turnout in this district

was very low: 20% of 12,000 registered voters ended up voting.³

Inaction of the municipal officials has most likely led to the recent water crisis in Bloemhof. Three babies died from taking in sewage-contaminated water. In reaction, the newly elected premier, Supra Mahumapelo, announced the suspension of the municipal manager of the Lekwa-Teemane arera, pending an

investigation.⁴ Opposition parties spoke out against this suspension, stating that this can only be done by a council resolution. They alleged that the ANC needed a scapegoat for the death of three babies and therefore the provincial government acted arbitrarily in suspending the municipal manager.⁵

Dr Kenneth Kaunda Region: Tlokwe (Ikageng) and Matlosana (Jouberton)

Tlokwe has reflected the divisions in the ANC in the North West ever since the election of a DA mayor in 2013. The municipality also entered the election with a cloud of suspicion over the IEC due to alleged misconduct during by-elections. No incidents were reported on Election Day.

Election results patterns and implications

The results for the National and Provincial elections in North West Province are:

National Election Results - NWP

Total registered voters	Total valid votes	Spoiled ballots	Voter turnout National
1 669 349	1 126 691	21 095	68.76%

Provincial Election Results – NWP

Total registered voters	Total valid votes	Spoiled ballots	Voter turnout Provincial
1 669 349	1 107 079	18 629	66.32%

Party Name	Abbr.	No. of Votes	% Votes	Seats in Provincial legislature
AFRICAN CHRISTIAN DEMOCRATIC PARTY	ACDP	5 728	0.53%	0
AFRICAN NATIONAL CONGRESS	ANC	733 490	67.39%	23
AFRICAN PEOPLE'S CONVENTION	APC	4 398	0.40%	0
AGANG SOUTH AFRICA	AGANG SA	4 736	0.44%	0
AZANIAN PEOPLE'S ORGANISATION	AZAPO	1 796	0.17%	0
CONGRESS OF THE PEOPLE	COPE	8 692	0.80%	0
DEMOCRATIC ALLIANCE	DA	138 521	12.73%	4
ECONOMIC FREEDOM FIGHTERS	EFF	143 765	13.21%	5
INKATHA FREEDOM PARTY	IFP	1 496	0.14%	0
NATIONAL FREEDOM PARTY	NFP	1 582	0.15%	0
PAN AFRICANIST CONGRESS OF AZANIA	PAC	1 473	0.14%	0
SOUTH AFRICAN POLITICAL PARTY	SAPP	662	0.06%	0
UNITED CHRISTIAN DEMOCRATIC PARTY	UCDP	12 811	1.18%	0
UNITED DEMOCRATIC MOVEMENT	UDM	9 615	0.88%	0
VRYHEIDFRONT PLUS	VF Plus	18 746	1.72%	1
WORKERS AND SOCIALIST PARTY	WASP	939	0.09%	0

It is no surprise that the ANC won the provincial elections in North West. The discontent that the service delivery protests reflect as well as the memory of Marikana and subsequent labour protests did however cost the ANC votes. The party got 5.50% less votes than in 2009 (down to 67.39% from 72.89%). The DA hoped to cash in on this state of

affairs but ended up in a heavily contested battle with the EFF to become the official opposition in the province, a position held by COPE since 2009. COPE failed to get enough votes in North West to get even one seat in the legislature. The DA did gain 4.34% to bring it up to 12.59%, but the EFF edged past with 13.20% to become the official opposition.

The only other party with a seat in the provincial legislature is the VF+, with 1.72% of the votes in the province. The UCDP lost its two seats in the legislature and only got 1.18% of the vote.

The areas where protests took place the ANC lost significantly. However, it seemed to have absorbed some votes lost by COPE.

ANC	2009	2014
Teemane (Bloemhof)	75.13	67.43
Rustenburg (mines)	72.32	56.57
Madibeng	76.45	64.59

The DA gained over 7% in Teemane (Bloemhof), and over 4% in Madibeng. The EFF got 13% of the vote in Madibeng, a whopping 21% in Rustenburg and 8% in Teemane. It is clear that although the vast majority of ANC supporters stayed loyal in these volatile areas, the EFF made significant inroads into ANC support, especially in Rustenburg.

Winning in the North West did not mean that it was going to be business as usual for the ANC. Not for the near future anyway. In previous updates mention was made several times of the pro- and anti-Zuma factions within the ANC in the province. Supra Mahumapelo was appointed the new premier, replacing Thandi Modise. His faction has been putting a lot of pressure on Modise to resign after the Mangaung conference. He was finally appointed as premier and quickly filled the cabinet with MECs close to him and also in the so-called Zuma camp. This kind of preferential treatment towards certain individuals can only serve to deepen the rifts in the province.

The New Age explains Mahumapelo's restructured provincial departments as follows:

Four new MECs were appointed, filling in vacancies left by out-

going Nono Maloyi, Raymond Elisha, Paul Sebegoe and Motlalepule Rosho.

Of the six retained, only two continued in their previous portfolios and these are Dr Magome Masike at health and Wendy Matsemela at education and sports development. The reconfigured Rural, Environmental and Agricultural Development (Read) has been taken by former local government MEC, Manketsi Tlhape. Former Member of Parliament Wendy Nelson is the new MEC for Treasury and Enterprise Development while a stand-alone Tourism department is headed by Desbo Mohono. The social development portfolio was given to Reginah Mochware, public works and roads went to SACP leader in the province Madoda Sambatha. Local government is now combined with human settlements and the new MEC is Collen Maine while community safety and transport management is under Saliva Molapisi.

As with all new appointees, Mahumapelo has promised to do better and interestingly enough said that a "saamwerk-saamtrek" (Afrikaans for work together – pull together) philosophy would guide his term in office.

END NOTES

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NORTHERN CAPE

Obakeng Bonokwane – Independent Researcher

Impact of Protests on the Electoral Period

The electoral period in the Northern Cape went off without reports of serious protest marches. The province is administratively divided into five districts and in turn these are split into 25 local municipalities. The latter factor makes it easier for the provincial government to deal with any issue which might cause people to go onto the streets and protest. For instance, just before the May 7 general elections, there was a dirty water crisis in the Phokwane Municipal area, similar to that of Bloemhof in the North West. In the North West, people were on the streets protesting and barricading the N12. Action by residents of Bloemhof forced the council to suspend the municipal manager of the Lekwa Temang Municipality. However, the Phokwane water crisis was dealt with quietly, without protests.

On the whole, there was little impact caused by protests during the electoral period. In the Northern Cape, the provincial government had a massive Expanded Public Works Programme (EPWP) that absorbed a large number of young people across the province. That strategy meant that the province experienced a quiet and peaceful electoral period. The provincial gov-

ernment is adept at issues management, and through the EPWP programme dealt with an issue that it knew was going to cause problems. The programme both addressed the longstanding issue of unemployment by providing EPWP jobs and keeping the youth busy and engaged in this, and by doing so, minimised their proclivity to protest.

Gender and Youth Participation in the Elections

The Northern Cape population is estimated at 1.1 million, and, of that number, 55 percent are women, 45 percent men and 31 percent young people. According to the Independent Electoral Commission (IEC), 601 080 people registered to vote, and 443 714 turned out to vote on 7 May. Women and young people were the majority in the provincial voters' roll, and if the IEC's statistics are anything to go by, then it would be safe to say that women and youth participation was at a high level in the province. Furthermore, the 2014 elections were characterised by the participation of a group of young people who were born in 1994. This group is known in the country as the "born frees", because they were born within the period of the first democratic elections in 1994.

Analysis of the Election Results and Implications in the Northern Cape

When analysing the Northern

Cape electoral politics, we need to reflect on the 2009 general elections to compare and contrast those with 2014 electoral outcomes. In so doing an understanding about the outcome of 7 May will be properly formed. The African National Congress's support nationally has quantitatively declined. However, in the Northern Cape, the ANC's electoral support increased as compared to the 2009 general elections. In the province the ANC was able to reclaim its electoral strength by increasing the seats it gained in 2009, and currently the ANC is comfortably placed, with 20 out of the 30 seats of the provincial legislature.

The Democratic Alliance is currently the official opposition in the province; however, unlike in Gauteng, the DA in the province was unable to cause a dent in the ANC's electoral support. However, it benefited from two things: their merger with the Independent Democrats (ID), and the collapse of the Congress of the People (COPE) in the province.

With respect to COPE, it is worth noting that this organisation was formed in 2008, and it managed to garner sufficient electoral support in 2009 to gain the status of official opposition in the provincial legislature. In a dramatic turn of events COPE fell from five seats to one, and it remains to be seen if it will make any

significant impact in the 2016 local elections.

In contrast, the Economic Freedom Fighters (EFF), which like COPE is in the main a splinter organisation from the ANC, managed to gain two seats in the legislature in its first electoral contest, whereas COPE managed five in its first electoral contest.

In terms of campaigning, there was a large difference between the ANC's campaign and that of the opposition. The ANC had operation centres in each and every community in the province, and that strengthened its electoral support through very direct connections with communities. Opposition parties, on the other hand, campaigned in a much less direct way, and with an adversarial tone.

The 2016 local government elections will prove to be an

interesting test for both the COPE and the EFF. The ANC as a party is also not without its problems when it comes to local government elections: in 2011 the compilation of its lists proved so problematic that the ANC had to appoint a committee to investigate the compilation of its ward and list candidates. This time round should there is likely to be much unhappiness among ANC members, and if list processes are not satisfactorily inclusive, then people who are disgruntled might cross from the ANC to join and campaign for the EFF, which has positioned itself as the party of ordinary people and the poor.

The ANC was instrumental in dealing with COPE in the Northern Cape Province by ensuring that it targeted influential individuals within COPE to return to the ANC before the 2014 elections.

To sustain its hegemony, the ANC may use the same strategy to get back members it may have lost to the EFF. In reality, the ANC in the province was aiming for 70 percent of the electoral support, but this was disturbed by the emergence of the EFF.

LIMPOPO

Ralph Mathekga – Director, Clearcontent Research and Consulting

Introduction: what shaped voter participation in 2014

The protests in South Africa in the period leading up to the 2014 elections have had an impact on the environment of free and fair elections. Protests in South Africa are generally violent and confrontational, as opposed to being passive and peaceful. It has become a com-

mon understanding among communities that take part in protests that the more disruptive protests are to society, the more likely their concerns will be attended to.

Although there is no scientific measure accounting for the extent to which protests have impacted on the 2014 elections, it is observable in the case of Limpopo Province that the growing number of confrontations emanating from public protests coincides with the

decline in the voter turnout as shown in the 2014 elections. The picture might become clearer with the forthcoming local government elections in 2016. At this point, however, protests have become the single most noticeable factor in the elections whose impact requires extensive enquiry. The fact that the majority of youth in South Africa tend to participate in the protests is an indication the protests might have the most significant impact on the youth turnout in elections

in South Africa.

Before the 2014 elections, expectations were that the youth in South Africa would turn out en masse to lodge their “protest vote”.¹ The 2014 elections, however, have not demonstrated any significant shift in terms of youth participation.

The low turnout by the youth in the 2014 elections shows that the youth see protesting as the only viable platform through which to engage with the system. They are steadily losing trust with elections as a platform to lodge a protest and voice their concerns regarding the confidence in leadership. Limpopo Province does not demonstrate a significant deviation in terms of voter participation of the youth in elections. There are, however, two factors that have the potential to shape voter participation and that require further explanation in the context of the 2014 elections:

- Has the youth expressed itself as a distinct group during the 2014 elections, and, if so, how?
- Do South Africans vote in a way that allows for a disaggregation of votes – by gender, for example?

The youth as a distinct voting camp

The electoral commission office in Limpopo Province noted that it is concerned about the declining number of youth who registered to vote in the elections. The trend of declining youth participation is

evident from the 2011 local government elections, which showed a decline from 42% of youth registration to 40%.² This continues to be evident in the 2014 elections. As Limpopo recorded the lowest turnout in the 2014 elections, this can perhaps be largely attributed to the increasingly disgruntled youth. There is no evidence yet that the youth in Limpopo have contributed significantly to the lower turnout, however, and the question that emerges regarding the youth is whether they should be seen as a distinct voting camp.

What makes it difficult to characterise the youth in South Africa as a distinct voting camp capable of undertaking collective political or social action is the lack of evidence demonstrating this to be the case. There is also a lack of identifiable voting patterns attributable to the youth as a collective. It is important, however, to assess the youth’s collective action not only in terms of their ability to vote in a distinct manner, but also by their ability to collectively withdraw their participation from formal participatory processes such as voting. This is an important part of collective action, particularly when given that it seems to coincide with rising youth participation in protests. It is therefore important to classify categories of activities that elicit distinct participation from the youth on one hand, and other activities that seem to be met with collective withdrawal by the youth.

The youth seem to be gradually withdrawing from the process of voting as a platform for raising concern. Elections are formal mechanism of participation and they are treated as such by the youth. This means, therefore, that if the youth are beginning to lose trust in formal means of engaging with government, elections would also most likely be seen as another formal platform that might not work as a means of voicing concerns. It is not a question of whether or not this sentiment is correct; it is rather a matter of how the youth in South Africa perceive formal platforms of democracy. On the other hand, the youth seem to be developing more trust and participation in informal means of engaging with the state in the form of protests. Thus, while the 2014 elections do not show the youth as a distinct participating group in the process of voting, the elections demonstrate a gradual shift to the situation where the youth begin to engage in collective action not to participate in elections qua formal methods of participation.

Identifying the gender vote

According to the IEC, 59% of registered voters in Limpopo are female. However, there seems to be no way of disaggregating votes in order to arrive at voting patterns by gender. Across different political parties that were contesting the 2014 elections, there was no party that could have said to have targeted the ‘gender vote’. It is not clear as to whether further formations of

political identities in South Africa are at the stage where the gender vote exists. It is a concern, however, that with such a large number of female voters, there is no identifiable distinct collective action along gender lines.

Conclusion

The 2014 elections do not demonstrate an identifiable positive collective action

along youth or gender lines. There is however a growing collective effort by the youth to stay away from elections. This trend would not be a concern if it did not coincide with the growing participation of the youth in what has come to be termed service delivery protests. It is important therefore to explore the extent to which youth have confidence in formal participatory mechanisms such as elections. It is

also clear that gender has not been a significant factor in the 2014 elections.

END NOTES

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EASTERN CAPE

Lashiola Kutya – Afesis-cor-plan

Table 1 below shows the results of the elections, focusing on the

number of seats won per party in the provincial legislature for the 1994, 1999, 2004, 2009 and 2014 elections. The results will help us to understand if the op-

position parties are performing well or need to re-structure their game plan if they are to be taken seriously.

Table 1: Number of seats won per Party in Provincial Legislature (1994 – 2014 National and Provincial Elections)

Party name	1994	1999	2004	2009	2014 ¹
Africa National Congress (ANC)	48	47	51	44	45
Democratic Alliance (DA)	-	-	5	6	10
United Democratic Movement (UDM)	-	9	6	3	4
Economic Freedom Fighters (EFF)	-	-	-	-	2
Congress of the People (COPE)	-	-	-	9	1
African Independent Congress (AIC)	-	-	-	1	1
National Party (NP)	6	-	-	-	-
Democratic Party	1	4	-	-	-
Pan African					
Congress of Azania (PAC)	1	1	1	-	

Source: Compilation from IEC figures.

The electoral strength of the governing party, the Africa National Congress (ANC), has not been in doubt since the inception of the new democratic dispensation. Both the 1994 and 1999 elections saw the party (ANC) gaining electoral votes sufficient to occupy three-quarters of the seats in the provincial legislature.

In the run-up to the 2004 elections, the opposition parties dwelt on the failures of the governing party, while the governing party focused on its achievements. Predictably, despite the criticism levelled against the ANC, the party maintained its electoral dominance.²

Table 1 above clearly illustrates the electoral performance of the ANC from the 1994 elections to the recent 2014 elections. A general overview of the elections shows that the ANC has managed to increase its electoral percentage with each election, scooping a significant 79.2% in 2004 and a decrease to 70% in 2014, but

the steady progress of the DA is also worth mentioning. Although there is a huge gap between the ANC and the DA in terms of the number of seats, the latter solidified its position as the main opposition party. The DA has had a significant increase in the number of seats, from five seats in 2004, to six seats in 2006 and 10 seats in 2014.

As can be seen from the outcome of the past elections, the electoral dominance of the ANC was first manifested in the 1994 polls, and this has seen a steady increase since then. In contrast to the ANC's consolidating hold on the electorate, the opposition share of the vote has declined since the inception of the "new democracy" in 1994.

Though the ANC has been faced by factional battles in recent times, the party still has a strong support base, especially in rural areas. In the 2009 national election the ANC won nearly 70% of the votes in the Eastern Cape. In

that election, the Congress of the People (COPE), which had just entered the political scene, won 13% of the vote to become the official opposition in the province, ousting Bantu Holomisa's United Democratic Movement (UDM), which got 4%. The DA had about 10% of the provincial vote.³

An interesting shift to be noted in the 2014 elections is the emergence of a newly formed party, the Economic Freedom Fighters (EFF), which managed to secure two seats in the provincial legislature.

ANC voter percentage share remains high (70%) regardless of the numerous scandals faced by the party.

END NOTES

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FREE STATE

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Introduction

Many provincial legislatures, like that in the Free State (FS), have already sworn in all party representatives, who now have the responsibility of playing a significant role in advancing the aspirations of their constituencies. This contribution mainly focuses on two issues: (i) the impact of protests on the electoral period; and (ii) an analysis of election results patterns and implications per province. Generally, the FS did not experience any protests that had an impact on the elections, except for a few incidences of intimidation and incitement from party political agents. The results of the elections yet again confirm the dominance of the African National Congress (ANC) in the province. It is concluded that the

relatively peaceful environment in which the elections was held bodes well for the advancement of pluralist democracy in general and the conduct of an acceptable election in particular.

Appraisal of impact of protests on the electoral period

The political history of South Africa, as illustrated by a plethora of evidence, is characterised by violent rioting and protesting.¹ The impact of violent conflict and fragility on a country's society, economy and political governance is devastating and all-encompassing. In South Africa, the effects of community protests have been tangible and visible, with almost daily reports of violent confrontations with police, extensive damage to property, looting of businesses, and at times, the injuring or even killing of civilians.² In 2012, data of the Municipal IQ, a local government data and intelli-

gence service, showed that 88 percent of the violent protests took place in the FS and Western Cape.³ Overall, however, the elections in the FS were peaceful, with no reports of major protests.

Analysis of election results patterns and implications

Table 1 depicts the election results and seat allocation in the FS provincial legislature. The ANC recorded a landslide victory, with 69.85% of the share of provincial votes. This represents a 1.25% decline of votes for the ANC, however. The DA has become the official opposition, with five seats, which is one seat more than the four seats COPE gained in 2009. The remaining three seats were won by the newly formed EFF (one seats) and VF Plus (one seat). An analysis of the long-term patterns of the past five provincial elections shows that the ANC has managed to maintain its electoral support

base since 1994. The party, however, lost three seats in 2009 (dropped from 25 to

22 seats). The results further reveal that the current opposition party in the prov-

ince will have the largest number of seats since 1994.

Table 1: Results 2014 – Free State

Party name and abbreviation	Total actual number of votes	Percentage share %	Number of seats in Provincial Legislature
African National Congress (ANC)	708,720	69.85	22
Democratic Alliance (DA)	164,672	16.23	5
Economic Freedom Fighters (EFF)	82,674	8.15	2
Vryheidsfront Plus (VF PLUS)	21,339	2.10	1
Congress of the People (COPE)	16,516	1.63	0
African Christian Democratic Party (ACDP)	5,150	0.51	0
African People's Convention (APC)	3,198	0.32	0
Pan Africanist Congress of Azania (PAC)	2,133	0.21	0
United Democratic Movement (UDM)	4,127	0.21	0
Agang South Africa (AGANG)	2,065	0.20	0
Azanian People's Organisation (AZAPO)	1,581	0.16	0
Inkatha Freedom Party (IFP)	1,124	0.11	0
National Freedom Party (NFP)	1,115	0.11	0
United Christian Democratic Party (UCDP)	1,139	0.11	0
Patriotic Alliance (PA)	651	0.06	0
Independent Civic Organisation of South Africa (ICOSA)	459	0.05	0
Total	1,014,663	100.00	30

Source: Independent Electoral Commission⁴

What are the implications of these results for political dynamics within the FS? Firstly, the election results illustrate that the tremendous frustration communities experience over the provincial government's failure to live up to its promises regarding basic services did not cost the ANC votes. It also leaves the governing party reliant on its own members to get its policies passed in the provincial legislature. A major concern characterises this particular approach, which has often been used by the governing party. Should the ANC decide to use its numerical advantage to pass through motions and policies without allowing genuine engagement with opposition parties, this will attract open hostility.

Secondly, opposition party rhet-

oric in the FS has always been dominated by criticising the performance of the ANC. Moreover, it is still to be seen what impact the fiery rhetoric of the EFF will have on the operations within the legislature. It is clear, however, that the opposition parties in the province will find it difficult to devise any effective or coordinated strategy for contesting policies due to their different political ideologies. Thus, opposition parties will have to work among themselves cooperatively and engage constructively with the ANC to address the challenges faced by FS citizens. Similarly, the willingness to engage constructively needs to be reciprocated by the ruling party.

Conclusion

The relatively peaceful environ-

ment in which the elections were held bodes well for the advancement of pluralist democracy in general and the conduct of an acceptable legislative election in particular. The voters in the province have yet again given the ANC a resounding majority in the provincial legislature. It remains to be seen how seriously the ANC will take this resounding vote of confidence by fulfilling not only its promise to its own constituency, but also its obligation to provide quality basic services to all citizens in the province.

END NOTES

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- ³ George, Matlala & Shanti, Aboobaker. "Why our townships are burning." IOL News. 17 November (2013): <http://www.iol.co.za/news/south-africa/why-our-townships-are-burning-1.1608166#>.

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KWAZULU-NATAL

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Analysis of Election Results

The 2014 provincial election results returned another victory for the African National Congress (ANC) in KwaZulu-Natal. The ANC captured 64.52% of the vote, which was an increase from its 62.95% in 2009. The

Democratic Alliance (DA) followed with 12.76% of the vote, also an increase from its 9.15% in 2009. The DA further overtook the Inkatha Freedom Party (IFP) as official opposition in the province. The IFP captured only 10.86% of the vote – a significant decrease from its 2009 showing of 22.40%. It did however outrun its main rival, the National Freedom Party (NFP), which captured 7.31% of the vote. The Minority Front (MF) lost half

its votes, receiving 1.02% of the provincial vote share compared to its 2.05% in 2009. The Economic Freedom Fighters (EFF) received 1.85% of the provincial vote. Twelve other parties contested the provincial election and each gained less than 1% of the vote. This includes the Congress of the People (COPE), which in 2009 gained 1.29% of the vote. The table below reflects the results of political parties which contested the provincial election.

2014 Provincial Results by Political Party: KwaZulu-Natal¹

Party		Votes	% Votes
AFRICAN NATIONAL CONGRESS	ANC	2,475,041	64.52 %
DEMOCRATIC ALLIANCE	DA	489,430	12.76 %
INKATHA FREEDOM PARTY	IFP	416,496	10.86 %
NATIONAL FREEDOM PARTY	NFP	280,425	7.31 %
ECONOMIC FREEDOM FIGHTERS	EFF	70,823	1.85 %
MINORITY FRONT	MF	38,960	1.02 %
AFRICAN CHRISTIAN DEMOCRATIC PARTY	ACDP	16,803	0.44 %
VRYHEIDSFONT PLUS	VF Plus	7,695	0.20 %
AFRICAN PEOPLE'S CONVENTION	APC	7,040	0.18 %
UNITED DEMOCRATIC MOVEMENT	UDM	6,632	0.17 %
CONGRESS OF THE PEOPLE	COPE	5,968	0.16 %
AZANIAN PEOPLE'S ORGANISATION	AZAPO	5,873	0.15 %
TRULY ALLIANCE	TA	4,082	0.11 %
PAN AFRICANIST CONGRESS OF AZANIA	PAC	2,930	0.08 %
KWAZULU- NATAL TRANSPORT ALLIANCE	KZNTA	2,796	0.07 %
UNITED CHRISTIAN DEMOCRATIC PARTY	UCDP	2,186	0.06 %
KINGDOM GOVERNANCE MOVEMENT	KGM	1,903	0.05 %
UBUMBANO LWESIZWE SABANGONI	UBUMBANO	926	0.02 %
Total		3,836,009	100.00 %

The ANC's lead was reflected in its 64.59% in the Durban Metro (eThekweni), as against the DA with 21.89%. The IFP and NFP followed with 3.72% and 3% respectively.² In Pietermaritzburg (Msunduzi Municipality) the ANC had a strong showing of 71.70%, with the DA less so at 16.78% and the IFP and NFP at 4.18% and 3.59% respectively.³

In the former IFP strongholds of Nongoma and Ulundi the contest between the IFP and NFP played out with the NFP taking the lead in Nongoma with 40.49% to the IFP's 30.78%. The ANC gained 26.42%, a significant strengthening on its 2009 16.82%.⁴ In Ulundi the IFP took the lead with 55.37% to the NFP's 27.56%. The ANC gained 15.08%, which

is only a slight increase on its 2009 14.92%.⁵ In the 2009 election Nongoma and Ulundi were both IFP strongholds, where it captured 81.63% and 83.62% of the vote respectively. In Nkandla the ANC captured 52.49% of the vote (not much more than its 2009 50.01%)⁶ to the IFP's 39.45, the NFP's 6.09% and the EFF's 0.60%.⁷

2014 Election Results: Durban Metro, Pietermaritzburg, Nongoma, Ulundi and Nkandla

	ANC	DA	IFP	NFP	EFF
eThekweni	64.59%	21.89%	3.72%	3%	2.44%
Msunduzi	71.70%	16.78%	4.18%	3.59%	1.79%
Nongoma	26.42%	0.74%	30.78%	40.49%	0.81%
Ulundi	15.08%	0.89%	55.37%	27.56%	0.50%
Nkandla	52.49%	0.44%	39.45%	6.09%	0.60%

The ANC has further consolidated its dominance in KwaZulu-Natal – gaining about 2% more votes since 2009. The DA has also made gains in the province, which it credits to its strength in urban areas, the splintering of the IFP, a growth in the number of Indian votes and an endorsement by the shack dwellers movement Abahlali baseMjondolo (ABM).⁹ The rivalry between the IFP and NFP culminated in a win for the IFP, which gained about 4% more than the NFP. This is despite claims by the NFP that the IFP was a 'dying horse' and also admissions from the IFP that the NFP 'did damage us'.¹⁰ A bigger blow for the IFP, however, was its loss of the official opposition in the province to the DA.¹¹ The MF's poor showing reflects its various internal challenges, including the death of its leader Amichand Rajbansi and factionalism within the party. Party leader Shameen Thakur Rajbansi noted that 'their people' (Chatsworth and Phoenix voters) had transferred their votes to the DA. The EFF claims to be pleased with its performance in KwaZulu-Natal in the light of the 'strong provincial parties in KZN'. Party

provincial convener Vusi Khoza argued that the EFF had suffered intimidation by ANC members during its campaign and on Election Day.¹²

Gender and Youth Participation

According to the Independent Electoral Commission (IEC), of the 5,112,464 registered voters in KwaZulu-Natal 2,892,589 were female. The higher number of female voters was mirrored in the 18-19 year age group, where 78,243 males registered and 92,700 females registered.¹³ The SADC Lawyers Association (SADCLA) Observer Mission, which monitored elections in the province, noted that in some areas there was higher participation of women voters than men. It further noted the higher numbers of female presiding officers at polling stations. The Observer Mission also reported a high number of youth voting at the KwMkhulu voting station and long queues of young voters at the YMCA polling station in Durban's CBD. It attributed this to the IEC's initiative to attract young voters through the 'Born

Free' campaign.¹⁴

Impact of Protest during the Electoral Period

Protest leading up to the elections and on Election Day in KwaZulu-Natal does not seem to have had an adverse impact on voting. Incidents in Ulundi which threatened to disrupt both special and general voting were contained by security forces, and protesters' attempts to sabotage voting at a Richards Bay voting station were managed by the IEC.¹⁵

An interesting turn of events in Durban was the shack dwellers movement ABM abandoning its long-held boycott of elections in favour of supporting the DA. ABM is a movement representing informal settlement dwellers in Kennedy Road on Clare Estate, who live in shacks and temporary makeshift shelters. The movement is self-organising and maintains horizontal links among other shack settlements, utilising a repertoire of tactics from marches and protest action to seeking legal relief in the courts. ABM is well known for rejecting the discourse on 'service delivery', arguing that its demands are

about ‘being human’, which may translate into demands for housing and land. It is argued that ABM’s struggle is not simply for houses or even for political power: ‘they want to change how things are done. In other words they are struggling not merely for “delivery” but for a vision of a different kind of politics’.¹⁶ The movement’s decision to vote in the 2014 elections is based on its aim to ‘weaken the ANC’. Its leader S’bu Zikode argues that although ABM does not agree with the DA on ‘core issues’ the decision was not an ideological one. Zikode added that ABM does not believe electoral politics to be ‘doomed’, but notes that electoral spaces are often influenced by narrow interests. ABM therefore aims to advance the politics of the poor in spaces outside of electoral politics. Supporting the DA ensures that the struggles of shack dwellers will be put on the opposition’s agenda.¹⁷ Analysts will no doubt be watching ABM’s endorsement of the DA in the run-up to the next local government elections in 2016.

END NOTES

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- ⁷ Accessed on 30 May 2014 from IEC Website: <http://www.elections.org.za/content/NPEPublicReports/292/Leading%20Parties/KN/KZN286/KZN286.pdf>
- ⁸ Table compiled using data from the IEC website *Provincial Election Results 2014*: <http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>
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WESTERN CAPE

Dr Cherrel Africa, Head of the Political Studies Department, University of the Western Cape and Nkosikhulule Xhawulengweni Nyembezi, Co-chairperson of the Elections 2014 National Co-ordinating Forum.

Introduction

The election in the Western Cape was once again a high-stakes, fiercely contested affair. Political parties saw the Western Cape as an “open race” and the province

became the centre of vigorous campaign efforts. Many political parties sent key national leaders to campaign in the province. In the lead-up to the elections the African National Congress (ANC) felt that it had done sufficient to regain control of the province, especially in light of deep-seated disillusionment in many communities with the current DA provincial administration and the violent protests which had occurred prior to the elections.¹ The ANC, which dropped from 45% in 2004

to 32% in 2009, hoped to unseat the Democratic Alliance (DA) from power since the DA won by a very narrow margin in 2009.

Despite escalating protests in the province, the outcome saw a significantly strengthened DA, which obtained 59% of the provincial vote. The ANC maintained its support base, obtaining votes from about a third (33%) of the provincial electorate. Despite being the most competitive province, with 26 parties con-

testing the 2014 provincial election, small parties fared poorly, with only the Economic Freedom Fighters (EFF) and African Christian Democratic Party (ACDP) gaining enough votes to obtain a seat each in the provincial legislature.

Turnout in the 2014 Election

A large proportion of eligible citi-

zens registered to vote. When the voters' roll was certified in March 2014 by the IEC 2.9 million out of 3.8 million eligible voters in the Western Cape, had registered. This amounted to a registration level of 78 per cent.² In terms of turnout, a total of 2.1 million people cast their ballot. Thus, 73% of registered voters in the Western Cape participated in the 2014 elections. While this represents

a slight decline in turnout from the 75% turnout rate in 2009, participation as a proportion of the eligible voting age population increased slightly from 53% in 2009 to 57% in 2014. There was a negligible portion of spoilt ballots (0.88%).

Table 1: Voting age population, registration and turnout in the Western Cape

	Eligible Voting Age Population (VAP)	Registered population	Percentage Registered	Valid Votes cast	Percentage turnout based on eligible population
1994	2 405 919	NA	NA	2 137 742	88.85%
1999	2 317 171	1 864 019	80.44%	1 587 978	68.53%
2004	3 024 207	2 220 283	73.41%	1 582 503	52.32%
2009	3 746 547	2 634 439	70.31%	1 987 777	53.05%
2014	3 771 271	2 941 333	77.99%	2 140 090	56.74%

Sources: Africa, C. 2014 *South Africa Election Update Number 2 - SA Elections 2014: Continuity, Contestation or Change?* Retrieved June 5, 2014 from <http://www.electionupdate.org.za>

Independent Electoral Commission. Retrieved June 5, 2014 from <http://www.elections.org.za>

Results in the Western Cape

As seen in Table 2 below, small parties in the Western Cape received negligible support in the 2014 election. Parties such as Agang SA and the Patriotic Alliance did not feature at all. Agang SA obtained 0.3%, while the PA obtained 0.4%. COPE saw a sharp decline in support in the Western Cape. COPE's support

in the province declined from 8% in 2009 to less than 0.6% in 2014. COPE's dramatic loss followed a very public battle for the leadership of the party. COPE lost the three seats it won in the Western Cape Legislature in 2009.

The African Christian Democratic Party (ACDP) saw its support base drop from 2% in 2009 to 1% in 2014. This secured the party

only one seat in the provincial legislature, down from the two seats it held after the 2009 election. While the EFF was far less popular in the Western Cape than in other provinces, the party managed to obtain 2% of the vote in the province. It thus also secured one seat in the Western Cape legislature.

Table 2: Western Cape Provincial Results

Party Name	No. of Votes	% Votes
AFRICAN CHRISTIAN DEMOCRATIC PARTY	21 696	1.02%
AFRICAN INDEPENDENT CONGRESS	6 508	0.31%
AFRICAN NATIONAL CONGRESS	697 664	32.89%
AFRICAN NATIONAL PARTY	1 249	0.06%
AFRICAN PEOPLE'S CONVENTION	1 291	0.06%
AGANG SOUTH AFRICA	6 398	0.30%
AL JAMA-AH	13 182	0.62%
AZANIAN PEOPLE'S ORGANISATION	844	0.04%
CONGRESS OF THE PEOPLE	12 520	0.59%
DEMOCRATIC ALLIANCE	1 259 645	59.38%
ECONOMIC FREEDOM FIGHTERS	44 762	2.11%
FIRST NATION LIBERATION ALLIANCE	635	0.03%
INDEPENDENT CIVIC ORGANISATION OF SOUTH AFRICA	11 949	0.56%
INDIGENOUS PEOPLES ORGANISATION	1 180	0.06%
INKATHA FREEDOM PARTY	1 078	0.05%
KINGDOM GOVERNANCE MOVEMENT	490	0.02%
NATIONAL FREEDOM PARTY	763	0.04%
NATIONAL PARTY SOUTH AFRICA	2 694	0.13%
PAN AFRICANIST CONGRESS OF AZANIA	3 591	0.17%
PATRIOTIC ALLIANCE	8 510	0.40%
PEOPLES ALLIANCE	440	0.02%
SIBANYE CIVIC ASSOCIATION	478	0.02%
SOUTH AFRICAN PROGRESSIVE CIVIC ORGANISATION	642	0.03%
UNITED CHRISTIAN DEMOCRATIC PARTY	1 158	0.05%
UNITED DEMOCRATIC MOVEMENT	10 199	0.48%
VRYHEIDSFONT PLUS	11 587	0.55%
Total Valid Votes	2 121 153	100.00%
Spoilt Votes	18 937	
Total Votes Cast	2 140 090	

Source: Independent Electoral Commission. Retrieved June 5, 2014 from <http://www.elections.org.za>

The ANC maintained its level of support in the Western Cape, with 33% of voters casting their ballot for the party in the 2014 provincial elections compared to 32% in 2009. While the 2014 election must have been a bitterly disappointing election for the ANC, this result must be seen in its broader context. Deep divisions and concerns about factionalism have negatively affected the ANC in the Western Cape for a long time. Even before the formation of COPE in 2008, there were reports about the internal battles between factions aligned to former premier Ebrahim Rasool and then-provincial secretary Mcebisi Skwatsha.³ Months

after former president Mbeki was recalled as president of the country, Rasool was told to resign as premier⁴ and replaced by then-finance MEC Lynne Brown.⁵

In the run-up to the 2011 local government elections the ANC offices in Cape Town were stormed as a result of anger with the list process.⁶ In fact, former ANC deputy president Kgalema Motlanthe admitted that internal upheavals in the ANC caused the party to lose 40 wards in the Western Cape.⁷ The fallout from the 2011 elections continued well after the elections were concluded. An internal ANC task team investigating allegations of irreg-

ularities in the list process looked at 10 wards in Cape Town and three in the Overberg and found that the processes leading to the nominations of Mzwakhe Nqavashé from Ward 40 and Coetzee Ntotoviyane from Ward 42, both in Gugulethu, had been flawed and recommended that the party begin the processes afresh.⁸

In another incident, Western Cape ANC provincial chairperson Marius Fransman had to be rescued by his bodyguards from an attack in Oudtshoorn following a meeting to replace the town's mayor, Gordon April.⁹ The 2014 list process also presented significant challenges to the ANC

in the Western Cape. The final list included Mbulelo Ncedana and Moegamat Majiet – both of whom left the ANC to join Cope when it was formed. Majiet had been the ANC's secretary in the Boland, while Ncedana was leader of the Dullah Omar region – the party's biggest in the Western Cape. Ncedana, an MPL, had lost his Cope membership for allegedly failing to pay his fees.¹⁰

While many voters in the Western Cape may not have been aware of the trials facing the ANC in the province, they would most likely have followed national events, which also created a challenging environment for the ANC. Most notably there has been sustained controversy and a significant public uproar about the Public Protector's findings regarding the inappropriate use of funds to upgrade President Jacob Zuma's private residence in Nkandla.¹¹ There was also an outcry after an influential family (the Guptas) was granted clearance to land their private aeroplane at a national key point, the Waterkloof Air Force Base. This was cited as a demonstration of undue influence on the ANC and President Zuma.¹² Events such as the televised death of community activist Andries Tatane in 2011 at the hands of police in the Free State¹³ and the lethal use of force in which 34 Lonmin mineworkers were shot and killed by police officers in what has become known as the "Marikana Massacre" in August 2012 highlighted issues of community frustration and police brutality.¹⁴ Additionally, civil society organisation Right2Know led a highly visible campaign against the so-called "secrecy bill",¹⁵ while an organisation called Section 27 highlighted inefficiencies in the public school system, particularly around the non-delivery of textbooks in Limpopo.¹⁶

The ANC saw also increased criticism from its own supporters and indeed former party leaders. So much so that Ronnie Kasrils, a former liberation fighter, Communist party Central Committee Member, ANC National Executive Committee Member and Government Minister, among others former ANC activists, embarked on the "Sidikiwe, Vukane, We are fed up" campaign, to either spoil one's vote or vote for a small party. The party also faced criticism from the Congress of South African Trade Unions (COSATU) for the rollout of highway tolling fees in Gauteng¹⁷ as well as sections of the National Development Plan.¹⁸ The National Union of Metalworkers of SA (NUMSA) strongly criticised the ANC and President Zuma for various implementation failures,¹⁹ and decided not to endorse the ruling party in the 2014 election.²⁰

The DA increased its majority in the Western Cape, obtaining 59% of the vote compared to 51% in 2009. Further research would be needed to assess whether this is primarily an anti-ANC/EFF vote, the result of growing loyalty towards the DA, positive perceptions of DA performance or strategic voting based on the premise that it is better to vote for a party that does not face the same capacity constraints as other opposition parties. Some voters might have felt that they needed to counter the electoral dominance of the ANC, or may have been concerned about the extent of support for Julius Malema's newly formed party, the EFF. Thus, the radical platform upon which the EFF contested might have galvanised DA supporters, even though most of the DA's campaign efforts were directed at the ANC.

The DA's main challenge has been to shed an image of being a party concerned with "elite interests" and providing a coherent position in its stance on affirmative action. In fact Helen Zille apologised for confusion regarding the party's position on Employment Equity.²¹ The Western Cape has also been beleaguered by violent service-delivery protests, with a particular focus on housing and sanitation. Additionally, many farming towns in the Western Cape experienced prolonged protests around poor wages and working conditions. The DA and Helen Zille also received widespread criticism and negative publicity around the disastrous deal in which Dr Mamphele Ramphele agreed to become the DA's presidential candidate.²² The defection of prominent DA councillor Grant Pascoe presented a challenge which necessitated significant damage control just prior to the election.²³



The DA ran a highly visible national campaign, which was simultaneously complemented with campaign strategies specifically aimed at reaching particular groups such as farming and fishing communities as well as areas affected by gang violence. Many of the ANC's challenges (the public protector's report on Nkandla and the textbook crises in Limpopo in particular) provided the DA with rallying points for their campaign. Much of the DA's strategy was focused on refuting the ANC's "good story" message while simultaneously highlighting their achievements in the Western Cape.

The DA also ran an aggressive campaign against smaller parties. The DA distributed pamphlets and ran a series of radio advertisements which pointed out that a vote for an opposition party, besides the DA, was a 'wasted' vote. In one pamphlet (see adjacent image), the DA used a graph to point out that it had won the Western Cape by 1.5% of the vote, and that a vote for a small party could result in an ANC-led coalition taking back the Western Cape. It further pointed out that abstaining could benefit the ANC. As the results indicate, the "Sidikiwe, Vukane, We are fed up" campaign was not heeded in the Western Cape.

Implications of the results

Relations between the DA and the ANC in the Western Cape have been characterised by dysfunctional competitiveness and acrimony. Constructive engagement has been rare, and governance marked by high levels of distrust. Even as the results were being announced both parties reverted to a destructive mode of engagement.

Western Cape DA and ANC leaders exchanged insults at the Independent Electoral Commission's Western Cape results operations

centre in Bellville during the last briefing session on 9 May 2014.²⁴ Democratic Alliance provincial leader Ivan Meyer initially called for called for co-operation in the aftermath of the "heated" election atmosphere. He said that

"after the results are known, we must all come down from our thrones ... and come together in the spirit of cooperation in the interest of protecting our young democracy. May this election be the beginning of the end of confrontational politics in the Western Cape

towards constructive yet critical dialogue in the interests of all citizens"²⁵

However, at his victory speech Meyer contradicted his earlier calls for unity and co-operation, stating: "Not the ANC's race-based divide and rule tactics, especially in vulnerable communities like De Doorns, nor their efforts to bribe DA councillors, nor their outrageous so-called faeces war could unseat the DA in this province." Marius Fransman congratulated the DA for winning the province, but promised a "formidable" ANC team

in the provincial legislature to keep the DA in check. He accused the DA of running a racist campaign, saying "Every time an election happens, the Democratic Alliance push the 'swart gevaar' tactics". "What you see now, unashamedly so, is the DA has gone out ... in the media saying that the ANC does not care for coloured people."²⁶ Fransman adopted a more conciliatory tone during a radio discussion held on Heart 104.9 FM shortly after the election.

Despite the violent demonstrations which preceded the election, the election itself was not hampered by protest action. However, political dynamics in the Western Cape seem to have picked up exactly where they left off before the elections, with poor communities expressing their dissatisfaction with the DA-led provincial government. Protests erupted less than a month after the elections. At the end of May residents of Illingeletu in Malmesbury marched to the Swartland municipal offices to demand houses, land and better services. In another protest, residents of Elsies River burned tyres and blocked streets with rubble.²⁷ Within a week the protests in Malmesbury escalated, with protesters blocking roads with burning tyres and throwing rocks at police, who responded with rubber bullets, tear gas, stun grenades and arrests.²⁸ Furthermore, the eviction of about 850 Nomzamo residents to make way for a Sanral development reveals the complexity of intergovernmental relations in the Western Cape.²⁹

Whatever the election outcome, the resumption of hostility between the DA and the ANC was seemingly inevitable. Progress in the Western Cape, especially for people living in poor areas, will require a monumental effort on

the part of both the DA and the ANC. It will need both parties to break their well-established patterns of destructive engagement.

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IS THERE A GOOD STORY TO TELL ABOUT THE SOUTH AFRICAN MEDIA COVERAGE OF THE COUNTRY'S 2014 NATIONAL AND PROVINCIAL ELECTIONS?

**Wellington Radu and William
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Introduction

South Africa held its fifth democratic national and provincial elections on 7 May 2014. Elections not only represent the possibility of instituting political change in a democracy, they also provide an opportunity to examine the role the media play in either contributing to or undermining free and fair elections. In other words, elections offer the possibility to assess whether the media are fulfilling their task of being an “independent” observer as well as their function to inform and educate the electorate, giving citizens the opportunity to make informed choices at the polls. More importantly, elections present citizens and the media with the chance to engage on issues that impact the people’s livelihood and development. This means that the media must navigate between the personal contentions and accusations of the

different candidates and political parties to clarify the core issues of principles and policies so that the public are in a better position to make an informed vote. Or, to ask what information citizens do not know and what do they need to know in relation to the elections.

With every election, there is always a need for media to critically engage with politicians, political parties and their policies, and ask the right questions in order for the electorate to cast informed votes. To become informed voters, the electorate requires a variety of information on government and political parties, and the democratic system itself. The information comes from a variety of sources, including the media. In order to contribute to free and fair elections, media coverage must be balanced, equitable, fair and accurate. This is a significant and certainly demanding responsibility that makes it essential for the media’s coverage of elections to be explored. In light of

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this, Media Monitoring Africa (MMA) has extensively analysed election coverage in all the national, provincial, and municipal election periods in South Africa since 1994 with the view to deepening democracy through encouraging responsible and quality media that enables an engaged and informed citizenry. This article is based on MMA's elections monitoring experiences since 1994, with specific attention given to findings from the 2014 national and provincial elections monitoring.

We ask the question: Is there a good story to tell about the South African media coverage of the country's 2014 national and provincial elections? We do not seek to provide an answer to this question. Our aim rather is to ask you the reader to make up your mind by revealing some of the findings we noted in the media coverage of these elections. In trying to help you make the call, we would like you to consider whether the coverage was balanced and fair, comprehensive and people-centred. We further raise even more questions in the hope that by the time you finish reading this article you will have made up your mind regarding the media's performance.

First, we briefly discuss the role of the media during elections and the South African media landscape. We then move on to discuss how we monitored the media's coverage of these elections. We conclude by providing some of the major findings, which we feel would help you determine whether there is a good story to tell or not.

The role of media during elections

The media play an essential communication function in any de-

mocracy and particularly during an election period.¹ The media bear the significant responsibility of ensuring that the electorate are provided with the information they need to make informed decisions. Generally, the more information people receive, the better their connection to candidates and political party positions and promises.² Therefore, an independent and critical media can and must present high quality dialogue on party policy issues, thereby allowing voters to make choices that are more informed.³ When this happens, voters are better equipped to hold governing and opposition parties accountable.⁴ This is the media's democratic as well as democratising role.

The effective fulfilment of this function begins with the generation of interest, awareness, knowledge and understanding.⁵ It also begins with the acquisition of skills and techniques in the use of communication to support socio-cultural, political and economic development.⁶ Over and above this, the effectiveness of the media in support of democratic governance requires that all sectors of society have access to news, information, opinions and ideas as well as the opportunity to express their own viewpoints in a language they normally use and understand.⁷ However, the ability of the media to provide nuanced and in-depth information that allows voters to make informed decisions is not without constraints. Frère (2010) notes that some of the obstacles the media face include:

- The ownership structures and intrinsic weaknesses of media enterprises;
- The media's close contacts with the political sphere;
- Media freedom violations;
- The weaknesses of regulatory

authorities;

- Difficulties in accessing information; and,
- Inflaming discourse from political candidates.

Although Frère writes about these and other obstacles in relation to the media in post-conflict countries in Central Africa, these constraints are also faced by the media in South Africa.

South African media landscape

In relation to the South African media landscape, Krüger (2012, p. 231) argues that it is largely dominated by a small number of companies that focus primarily on national and metropolitan audiences. Print media is largely urban and elitist.⁹ Four large media companies dominate the print media space in terms of the number of titles they own. These are: Caxton, with 130 newspaper titles (89 wholly owned and 41 co-owned); Naspers (Media24), with more than 64 titles; the Irish-owned Independent Newspapers group, with 35 titles; and Avusa (formerly known as Times Media Limited and then Johnnic Communications), with 22 titles.¹⁰ A smaller, but influential print title is the *Mail & Guardian* newspaper largely owned by Zimbabwean publisher and entrepreneur Trevor Ncube.¹¹ The *Mail & Guardian* is the sole survivor of the alternative media sector that flourished in the 1980s.¹² In 2010, The *New Age* newspaper was launched. This newspaper is owned by the Gupta family group, which has close ties with the current president of the country, Jacob Zuma.¹³ Fighting off allegations that it would be the mouthpiece of the ruling African National Congress (ANC) party, its then editor, Henry Jeffreys, wrote: "The *New Age* has no formal links with the ANC (or any other political party, for that mat-

ter) ... [However], we will, generally, support the government of the day, at all levels.”¹⁴

With regard to broadcasting, the South African Broadcasting Corporation (SABC) is by far the biggest and arguably the most important player. The majority of the country’s population rely on the broadcaster’s radio and television services for news, because the services are broadcast in all 11 official languages of the country.¹⁵ The SABC has over 40 per cent of the country’s total radio audience and 70 per cent of the television audience.¹⁶ However, the broadcaster has been and is still experiencing financial and managerial crises, which have affected its credibility¹⁷ and perhaps its ability to effectively deliver quality news. Apart from the SABC, there are two private television stations, etv and ANN7 (also owned by the Gupta family group), and about 13 private commercial radio stations, which have taken a significant share of the audience since the liberalisation of the airwaves in the mid-1990s.¹⁸ This is aside from the approximately 150 community radio stations and more than 130 community newspapers also available in the country and several subscription television services provided by Multichoice.

Duncan (2009) observes that the media landscape in South Africa has developed the character of a funnel, with more media catering for the few elite being clustered further up the funnel, while media access tapers off drastically towards the lower end of the funnel.¹⁹ Although 940 million newspapers circulate in South Africa per year,²⁰ radio still commands vast listenership, with community stations catering for specific target audiences, and national stations targeting people across the country. However, both print and broadcast are con-

centrated in major metropolitan areas, namely, Gauteng, Western Cape and KwaZulu-Natal.²¹ With regard to regulation, print media self-regulates through an independent press ombudsman, while broadcast media is regulated by the Independent Communications Authority of South Africa (ICASA) in an election period. Outside of an election period, the broadcast media also subscribe to the self-regulatory system under the auspices of the Broadcasting Complaints and Compliance Commission of South Africa (BCCSA). Whether regulatory frameworks are effective or not is another issue. What is clear, though, is that the country’s 2014 national and provincial elections took place within the context of media that is dominated by a few big media companies.

How we monitored the 2014 elections

In these elections, we analysed the coverage of the following 48 online and broadcast media from 7 March 2014 to 14 May 2014.²² These media were purposely selected in order to be representative of the South African media landscape described earlier. The news content of these media titles was analysed using the following basic criteria:

- **Political party coverage:**

This was determined through counting the number of political party officials that were accessed directly or indirectly by all media whose content was analysed. This was also achieved by amalgamating all the direct and indirect quotes from political party officials into word clouds. So the bigger the word in the cloud the more it was repeated by the politicians.

- **Alternative voices:** This was achieved by looking at roles of all

the people who were accessed directly or indirectly by media, for example, politicians, professionals, civil society members, etc. The gender and race of all the people accessed were also noted.

- **Issues covered:** This was determined by looking at the topics/issues that media focused on during the election period. By extension, this allowed us to see the issues that were in turn neglected.²³

Using these criteria, we were able to reveal some of the major findings that will help you determine whether the South African media coverage of the 2014 national and provincial elections was balanced and fair, comprehensive and people-centred.

Was the coverage balanced and fair?

27 political parties contested the 2014 national elections.²⁴ Of these, only five received 84.1% of the total media coverage, namely, the ANC with 38.2%, Democratic Alliance (DA) with 25.3%, Economic Freedom Fighters (EFF) with 13.4%, Congress of the People (COPE) with 4.1% and Agang SA with 3.1%. This means that the remaining 22 political parties shared the remaining 15.9% of total media coverage. Some core questions to consider: Does this show balance in terms of coverage? Does it allow the electorate got to know about other political parties and what they represented in order to make an informed choice? With such coverage, would we be able to understand the country’s political landscape in its entirety and complexity?

More importantly, when we compare the amount of media coverage these five political parties received to the amount of votes

When it comes to actual fairness of reporting the media monitored performed extremely well.²⁵ That is to say, the overwhelming majority of media made clear efforts to ensure that they covered different political parties, that they covered them fairly when they did cover them and where parties made allegations against another the media made significant efforts to offer a response. There can be no doubt that this is a significant achievement for media in a developing democracy.

the coverage was comprehensive, a number of issues need to be considered. On the one hand, it is important to consider what politicians actually say, because often during electioneering politicians have a lot to say and media give them space to articulate what their parties represent. As highlighted earlier, to determine what politicians actually said we amalgamated all the direct and indirect quotes from the political parties that received the most media coverage into word clouds.²⁶ In the clouds that follow the bigger the word, the more prominent it was in politicians' quotes.

[illegible]

230



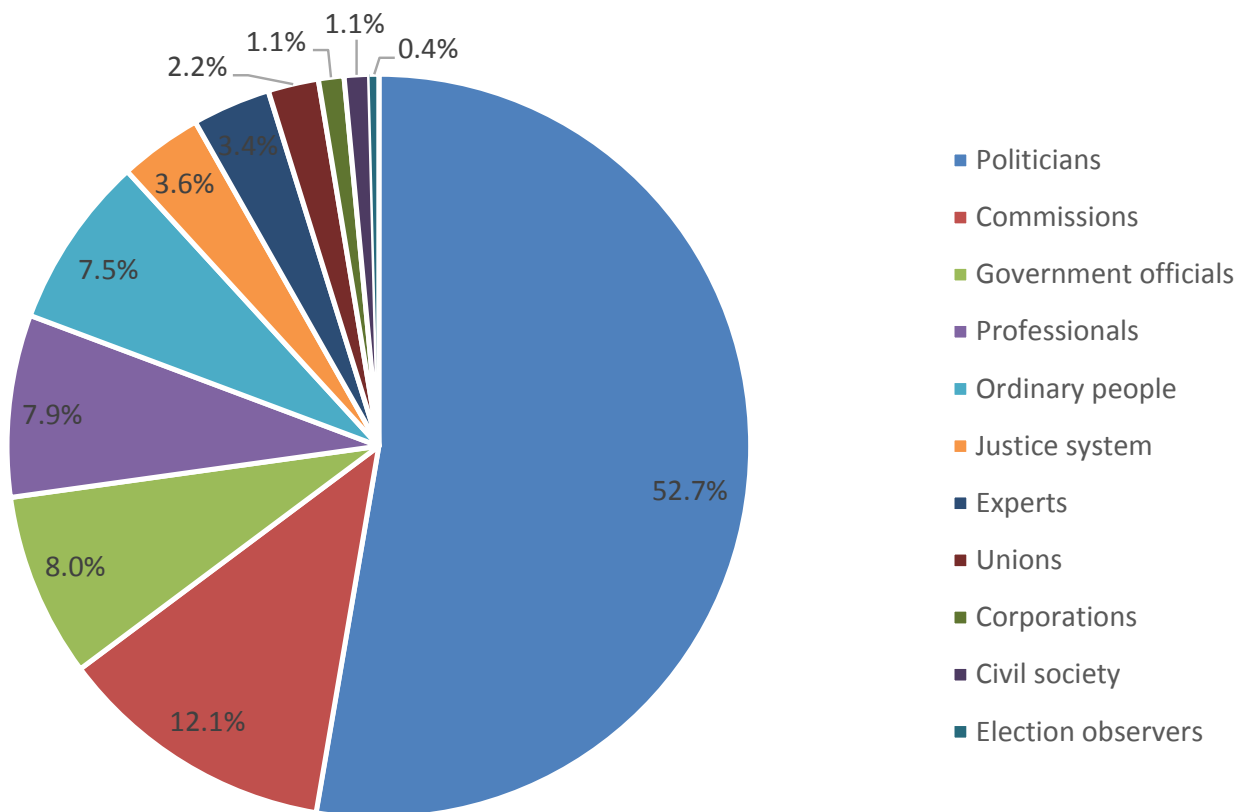


Figure 6: Sources accessed by all media

As can be seen from Figure 6, a variety of people were accessed for their views, but over half of all the people were politicians and less than 10% were “ordinary” people. The question is: Who should be accessed during the pre-election period to give the voters the most comprehensive information?

Also, women constitute 52% of South Africa’s population, yet only 25% of all the people quoted directly and indirectly by the media are women. This is less than the 29% recorded in the 2011 municipal elections. So what’s going on? Is the media at fault for not being more proactive about accessing more women, or should we be looking to political parties to offer more female voices? We see that women are marginalised not only in terms of voice but also as regards critical issues of immediate relevance to them.²⁷

Given the country’s past, it is not surprising that politics is still structured mainly along racial lines. As of July 2011, Statistics South Africa revealed that black people constitute 79% of the population, while white and coloured people make up 9% each and Indian (and Asian) people make up 3% of the country’s population. Our findings reveal that white people are generally overrepresented by media at 18%, while coloured and Indian people are underrepresented at 4% and 1% respectively. Is the media merely portraying existing power dynamics along racial lines? Does the overrepresentation and underrepresentation of the races impact the information for voters? Moreover, assessed as a whole, should the media reflect the country’s racial demographics or should it cater for its targeted audience, irrespective of race?

Was the coverage people-centred?

In order to determine whether the coverage was people-centred or not, we allocated an overall theme or topic to each story we analysed. The graph that follows shows the top ten topic breakdown across all media monitored, and the top ten accounts for 89% of all topics identified. It also shows that 40% of all coverage was about party campaigning and party politics.

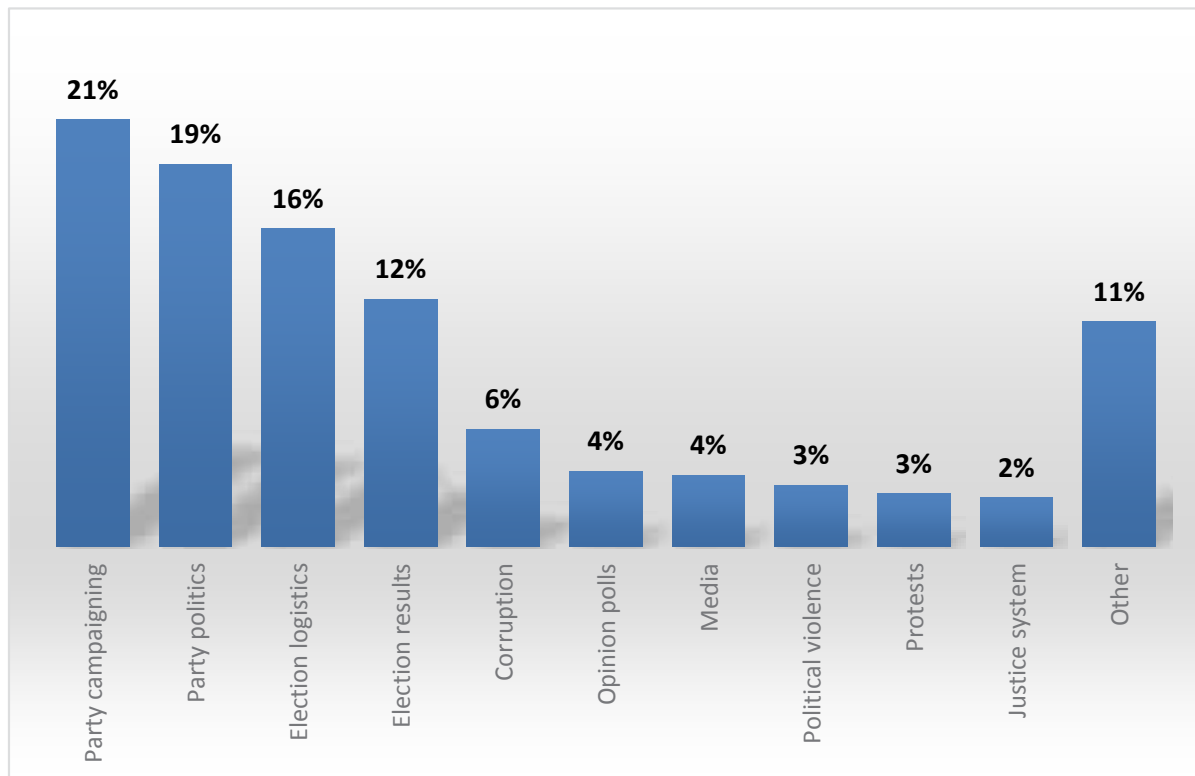


Figure 7: All topics covered by all media

That high levels of stories focused on party campaigning and party politics is hardly surprising given previous trends in media coverage. As this was an election period, however, we would expect parties themselves to focus on these issues. We would also hope that media would have adopted a citizens' agenda and afforded less coverage to these areas, as their dominance adds little to the understanding by audiences of the big election issues or parties' policies.

Corruption was unusually high, but the majority of stories were focused on Nkandla. Election logistics was also relatively high, but again this is largely attributable to the focus on the Independent Electoral Commission (IEC) Chairperson, Pansy Tlakula, following the Public Protector's report implicating her in wrongdoing. Media for the first time was in the top ten, but not as a focus on media policy issues but more around the attention given to the SABC and the ICASA

complaints process around the decision to ban the broadcast of political advertisements by both the DA and the EFF.

The coverage of the 2014 national and provincial elections is thus very similar to that of previous elections, where party campaigning and party politics dominated, aided by a few running stories. In the 2011 municipal elections coverage was around the toilet saga, with missed opportunities to unpack sanitation issues more broadly. This is the case with Nkandla, the IEC Chair and the SABC and political adverts. While there were some outstanding pieces of reporting on these issues, issues directly affecting citizens were neglected.

We know this because key issues such as voter education, crime, development, service delivery, land, labour, racism, affirmative action, disabilities, education, environment, gender, health, housing, human rights and poverty each received less than 1% of the

media coverage. The coverage of children and HIV and Aids were virtually non-existent. Ironically, the coverage was inversely proportional to the importance of the impact of the issues. Women account for the majority of the population yet scant regard was paid to the policies affecting them, and the differential impact they have. Given the Oscar Pistorius trial and the saturated coverage afforded to that it was anticipated that gender, gender-based violence or issues around masculinity could have featured as election themes.

Children account for 37% of our population, yet again their issues were marginalised. The spectre of racism continues to inform our politics and national discourse, yet, again, aside from a handful of stories the issues, policies and potential solutions went under the radar. Issues around our environment and climate change, which impact the poor most directly, were also missed. Even "big" stories like economics, where po-

tential models could have been tested or hotly debated, or crime and gun control, land and housing – all critical issues for the majority of South Africans – were under-reported. Again, it would appear that with some notable exceptions media allowed their agendas to be determined by politicians and political parties, and not citizens.

This again raises more questions. Which issues should take precedence over others in terms of media coverage? And whose role is it to put these issues on the agenda? How much coverage should be given to these issues, given that they are so important to South Africa? Perhaps most importantly, how do we ensure that the media cover crucial issues and move away from personalities? The answer is all the more challenging when it is (or seems) clear that audiences also want personalities over issues, or do they?

Conclusion

Given how the media performed in these elections do you think there is a good story to tell? For us, the picture is not as bright as it could or should be, but that is indicative of our democracy as well. It is also worth noting that there were numerous cases where media engaged, unpacked and analysed critical issues. The real challenge for our media is how to do more of that with fewer resources, especially when faced by the slick, well-resourced spin machines of political parties. We see these findings as a call for real and long-term investment in the skills and capacity development of our journalists and media houses. We also hope that the findings will help in highlighting areas and opportunities for further in-depth coverage. We have therefore developed www.wazimap.co.za – an online tool that combines census and election data in one place in order to help media do their work better. We also know that the challenge of churnalism is also difficult to overcome. In this regard we have developed www.newstools.co.za where you can check articles for churnalism. The decision rests with you, the reader.

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- ²⁶ A word cloud is a visual representation of text that shows keywords from a text. The more the word is repeated in the text, bigger it is in the word cloud.
- ²⁷ See next section on whether the coverage was people-centred.

WESTERN CAPE

Dr Cherrel Africa, Head of the Political Studies Department, University of the Western Cape

Introduction

The province has the same premier and there is significant continuity in the provincial legislature and the provincial cabinet.

Results in the Western Cape

The Democratic Alliance (DA) increased its majority in the Western Cape, obtaining 59% of the vote in 2014 compared to 51% in 2009. The African National Congress (ANC) maintained its level of support in the Western Cape, with 33% of voters casting their ballot for the

party in the 2014 provincial elections compared to 32% in 2009. The African Christian Democratic Party (ACDP) saw its support base drop from 2% to 1%, while the Economic Freedom Fighters (EFF) managed to obtain 2% of the vote in the province. Other small parties in the Western Cape received fractional support in the 2014 election.

Table 1: Western Cape Provincial Results (1994-2014)

Party Name	Total no. of votes					Percentage %				
	1994	1999	2004	2009	2014	1994	1999	2004	2009	2014
DP/DA	141,970	189,183	424,832	1,012,568	1,259,645	7%	12%	27%	51%	59%
ANC	705,576	668,106	709,052	620,918	697,664	33%	42%	45%	32%	33%
EFF	NA	NA	NA	NA	44,762	NA	NA	NA	NA	2%
FF/FF+	44,003	6,394	9,705	8,384	11,587	2%	0.40%	0.62%	0.43%	0.55%
ACDP	25,731	44,323	53,934	28,995	21,693	1%	3%	3%	2%	1%
ID	NA	NA	122,867	92,116	NA	NA	NA	8%	5%	NA
UDM	NA	38,071	27,489	14,013	10,199	NA	2%	1.75%	0.71%	0.48%
COPE	NA	NA	NA	152,356	12,520	NA	NA	NA	8%	0.59%
NP/NNP	1,138,242	609,612	170,469	NA	NA	53%	38%	11%	NA	NA

Source: Independent Electoral Commission. Retrieved June 5, 2014 from <http://www.elections.org.za>

The Western Cape Provincial Legislature

The Western Cape Provincial Legislature consists of 42 members. The DA is the ruling party, holding 26 of the 42 seats – up from its previous term, where it occupied 22 seats. The party gained four more seats after absorbing the Independent Democrats (ID) and the demise of the Congress of the People (COPE) in the province. The ANC maintained the 14 seats that it obtained after the 2009 elections, while the ACDP lost one of its two seats. The EFF managed to gain enough votes to receive one seat in the Western Cape.

Table 2: Western Cape Seat Allocation (1994-2009)

Party Name (abbreviation)	Total no. of seats				
	1994	1999	2004	2009	2014
Democratic Party (DP)/ Democratic Alliance	3	5	12	22	26
African National Congress (ANC)	14	18	19	14	14
Economic Freedom Fighters (EFF)	NA	NA	NA	NA	1
Freedom Front (FF)/ Freedom Front Plus (VF Plus)	1	0	0	0	0
African Christian Democratic Party (ACDP)	1	1	3	2	1
Independent Democrats (ID)	NA	NA	3	3	NA
United Democratic Movement (UDM)	NA	1	1	0	0
Congress of the People (COPE)	NA	NA	NA	3	0
National Party (NP)/ New National Party (NNP)	23	17	5	NA	NA

Source: Independent Electoral Commission. Retrieved June 5, 2014 from <http://www.elections.org.za>

The Provincial Cabinet

DA leader Helen Zille remains the premier of the Western Cape, and only minor changes were made to the provincial cabinet. There are ten Members of the Executive Council (MECs) who are appointed by the premier. Two vacancies arose after Agriculture MEC Gerrit van Rensburg moved to the National Assembly and Transport and Public Works MEC, Robin Carlisle, retired. There are two newcomers to the provincial cabinet. University of the Western Cape academic Nomafrrench Mbombo will take up the Cultural Affairs and Sport portfolio from Dr Ivan Meyer and former parliamentary member Debbie Schafer will replace Donald Grant in the Education portfolio.¹ In 2009 Helen Zille faced significant criticism for not being transformative in her cabinet appointments. This has continued after her announcement of the 2014 cabinet.²

Table 3: Western Cape Provincial Cabinet

Helen Zille	Premier	Position retained
Debbie Schafer	Education	New appointment
Nomafrrench Mbombo	Cultural Affairs and Sport	New appointment
Theuns Botha	Health	Position retained
Anton Bredell	Local Government, Environmental Affairs and Development Planning	Position retained
Albert Fritz	Social Development	Position retained
Donald Grant	Transport and Public Works	Formerly Education
Bonginkosi Madikizela	Human Settlements	Position retained
Ivan Meyer	Finance	Formerly Cultural Affairs and Sport
Dan Plato	Community Safety	Position retained
Alan Winde	Agriculture, Economic Development and Tourism	Formerly Finance

Governance Challenges in the Western Cape

In many respects the Western Cape is a thriving province. The economy of the Cape metro makes the second-largest contribution to the national GDP, and it also has the lowest unemployment rate in the country.³ Cape Town and many other areas in the Western Cape are regarded as major tourist attractions.

However, the Western Cape has many inter-related complex developmental challenges. Inequality is a major problem in the province. Unemployment is widespread in many so-called black and coloured township areas. Schools in townships have formidable challenges, and the pass rates in these schools are much lower than those of schools in the suburbs.⁴ A shortage of adequate housing and services is exacerbated by seasonal flooding in the province. These problems in turn fuel various health problems, which are worsened by

poor living conditions. The continuing increase in the provincial population exacerbates these problems.

Despite the introduction of the Integrated Rapid Transport system, public transport remains a major problem in poor areas, since it was first introduced in areas where most residents have their own private vehicles.⁵ Residents in poor areas face significant challenges in getting to work, school and elsewhere. Many depend on Metrorail, which has faced significant challenges in delivering its service to those who rely on it. At times train delays have resulted in commuters being on trains for as long as three hours due to cable theft and other related problems.⁶ The ongoing taxi violence in Cape Town also creates problems for those commuters who rely on this mode of transport.⁷ In many instances people put their lives at risk by walking to their destinations in the early hours of the morning and late at night.

Indeed, a lack of safety is another key challenge that the Western Cape faces. National crime statistics reveals that Mitchells Plain, one of the most densely populated areas in the Western Cape, is severely affected by crime.⁸ Crime in the province is worsened by a wide network of gangs. Elsie's River, Hanover Park, Lavender Hill, and Manenberg have been identified as gang priority hotspots in the province.⁹ In 2013, 12% of the 2,580 murders in the province were gang-related, and 44% of drug-related crimes in South Africa occurred in the Western Cape.¹⁰ Apartheid-era housing infrastructure, particularly large blocks of flats, fuels many of these problems. Dealing with the matter of increased gang violence has become a much-debated political issue.

In her State of the Province address delivered on 20 June 2014, Helen Zille prioritised the implementation of the Provincial Development Plan (PDP), indicating that "the Western Cape Govern-

ment supports most of the objectives of the NDP".¹¹ Given the toxic and destructive relationship between the DA and the ANC in the Western Cape, the premier acknowledged the need for greater co-operation between political parties. She started her address by stating that she sincerely hopes "that constructive dialogue and debate will supersede obstructive, polarising politics" during sittings. She also stressed the importance of co-operation between the different spheres of government, but concluded that "if various national departments continue to block our efforts in this regard, we will resort to the legal remedies available to us".

The premier identified building integrated and sustainable human settlements in the province as the biggest challenge. Zille stated that it is essential to do this, as it would improve social cohesion and redress the legacies of the past. She estimated that it would cost over R70 billion (double the budget of the Western Cape Government) to provide land, services and top structures, based on a housing database of over 500 000 households in the province. In addition to outlining the delivery programme of a number of housing projects, she called for "new and improved strategies that harness households, the private sector and NGOs to place the Western Cape on a different housing trajectory, one which offers an improved living environment for everyone"... "to come up with innovative partnerships and solutions to improve people's standard of living in the province at a much faster pace". She added that "it is critical that all three spheres of government work together to come up with new pioneering models to deliver integrated human settlements. The current housing challenges we face across the country must not be politicised, either in government or on the ground".

One of the key commitments made by the premier was to make the Western Cape a leader in broadband access. She paid significant attention to job creation, with a particular focus on young entrepreneurs, small and medium size firms (SMEs), the tourism industry, the Western Cape as a call centre destination, the aquaculture industry, the agriculture industry, the oil and gas sector and the renewable energy sector. She also indicated that skills development remains a priority for the Western Cape government and announced the development of an "e-skills platform that will serve as an integrated tool for government, higher education and the private sector to engage with one another in order to match skills development programmes to current skills shortages and for citizens to access career-related training and advice". According to Zille, the bulk of the provincial education budget will be spent on underprivileged learners. She outlined the following focus areas: improving language and mathematics outcomes; improving the quality of leadership and teaching; strengthening of School Governing Bodies; creating safe and welcoming environments for optimal learning; improving infrastructure and facilities at schools and improving access to learning support material.

Zille indicated that the provision of healthcare will be guided by the Healthcare 2030 framework and that "meeting the health needs of an ever expanding population with a limited budget requires innovative thinking and strong partnerships with the private sector". She outlined her plans for building new health facilities and upgrading existing clinics, hospitals and community day centres. She acknowledged that despite sustained progress, social challenges such as teenage pregnancies, gang violence as well as alcohol and drug abuse

compromise education outcomes and threaten job creation, particularly among the youth. The speech therefore laid out various strategies for community development and how to deal with these issues.

Media Coverage

In the run-up to the election media coverage in the Western Cape framed the electoral contest between political parties as underpinned by a battle between so-called coloured and black voters. There are of course different racially structured interests and challenges, and aggressive negative campaigning has racial underpinnings. However, beyond simply reporting on these dynamics, media coverage was premised on presumptions about the "coloured electorate". Perpetually framing issues through these lenses can be counter-productive as it has the potential to add to the cycle of conflict between communities. While it is likely these divisions will continue to be highlighted as the Western Cape government grapples with its implementation programme, it is important that media outlets begin to reflect on their role in covering these issues.

Pre-election coverage was dominated by the campaigns and election logistics. Media Monitoring Africa (MMA) conducted systematic research on the news coverage of 50 media outlets (including print, online and broadcast media) between 7 March 2014 and 30 April 2014.¹² Its data reveals that 52% of all coverage could be categorised under the themes "party campaigning" and "party politics". It also found that election coverage was not done from the citizen's perspective. While provincial media outlets covered the election campaign extensively, MMA does not have provincial data available. The trends noted by MMA are likely to be prevalent in provincial

media. In any event, much of the campaign coverage which would be consumed in the provinces was presented on national media platforms. While covering policy implementation is more difficult, since the election period lends itself to the production of news, it is as important.

Conclusion

Now that the dust is beginning to settle after an intense election period, the hard work of governance and implementation begins. Whether the DA-led provincial government can implement changes which begin to address the complex web of socio-economic challenges facing the province remains to be seen.

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NORTH WEST

Dr Ina Gouws – North West University (Vaal Triangle Campus)

The last of the provincial updates focused on the North West takes a look at media coverage of the entire electoral process and the provincial results, and offers some recommendations for any administrative and procedural reforms needed.

The media's role and performance

According to the Asia-Pacific Institute for Broadcasting Develop-

ment, the media play three critical roles during elections:

1. They provide information about the election to citizens (factual and fair reporting on campaigns and platforms of all political parties as well as analysis and interpretation of events and issues)
2. The media must function as watchdogs on behalf of citizens, keeping close tabs on the campaigns and election process
3. The media needs to serve as the voice of the voters. Elections are not just for

politicians, but actually for ordinary people to speak up about issues that concern them.¹

The media guide provided by the IEC for the 2014 elections covered a range of resources media outlets could use to essentially fulfil the abovementioned roles effectively.² The problem is that certain topics in the North West were on the campaign agenda even before the election campaigns officially got underway – i.e. the Marikana Massacre, platinum strikes, violent protests in Madibeng, Bloemhof

etc. These events dominated media reporting in the North West. Actions and reaction of political parties about these events and

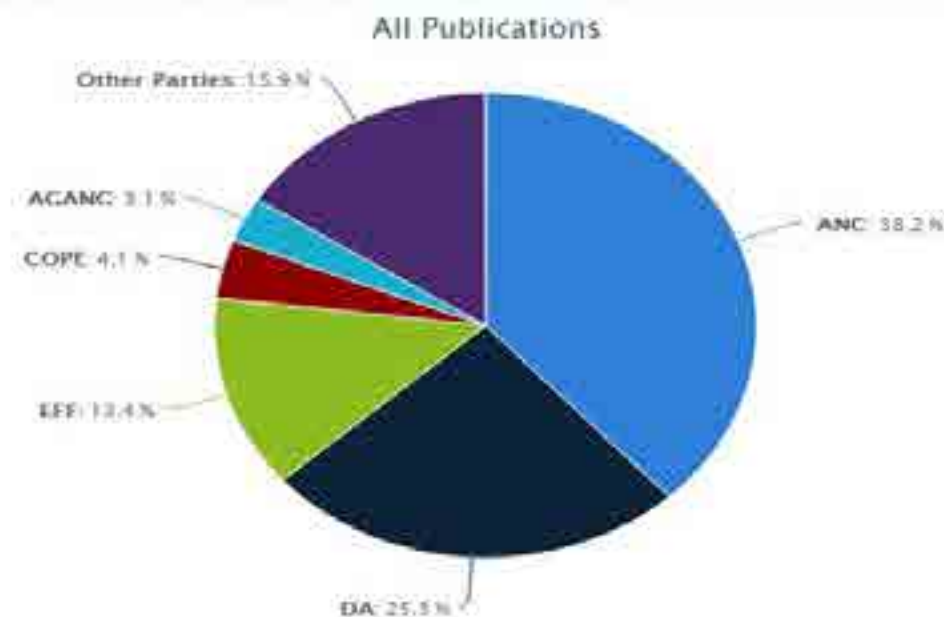
the perceived reasons for these events took centre-stage. National reporting for all publications in North West was therefore fo-

cused on Teemane, Rustenburg and Madibeng, all areas identified as hotspots by the IEC.

Teemane	2%	16.1%
Rustenburg	16%	73.2%
Madibeng	14%	10.7%

Source: Media Monitoring Africa¹

According to Media Monitoring Africa, most of the national election coverage was fair and unbiased. They provided this schematic of publication coverage of political parties.



Evidence of continuous election coverage by North West media is scarce. From the publications mentioned in a previous update only the *Potchefstroom Herald* and *Mafikeng Mail* seemed to have some election coverage. The *Potchefstroom Herald* reported on the IEC readiness before the elections, voter education, the final results and the ANC's loss of support in the province. The *Mafikeng Mail* relied on letters from readers to provide some insights into provincial election matters. The Editor's Viewpoint section ventured to provide some views on the new North West premier and asserted that ANC North West should embrace him and try to unify the party. Online searches on websites provided

for *Zeerust News* and *Overvaal Newspaper* showed no evidence of election coverage.

As far as the 'hotspots' go; a local newspaper that surprised is the *Platinum Weekly*.⁴ This local online paper reported on the elections and election results, and is reporting extensively on the platinum strikes. Madibeng has the *Kormorant* and the *Madibeng Times*. The online version of the *Madibeng Times* seems to keep readers up to date with current political issues and does not shy away from covering hard news. The publication of 12 June 2014 reported for instance on Thandi Modise handing over the report on corruption investigations to the new premier Mahumape-

lo. This issue was significant in the run-up to the elections, and residents are waiting for action against any officials implicated.⁵ The *Kormorant* has a very good online version. Hard news, politics and service delivery are all covered in English and Afrikaans. The "Government" section focuses on both Madibeng municipal news as well as North West provincial news. Archives show that news about service delivery protests and allegations of corruption against officials were important issues in the run-up to the elections and after.⁶

For Teemane it seems the *Stellalander* reported on elections and local government news. The 4 June 2014 issue covered the

suspension of the Lekwa Tee-mane mayor pending outcomes of an investigation initiated before the elections. This was an important issue and one of the reasons for the violent service

delivery protests.⁷

Results and allocation of seats and composition of Provincial Cabinets

The previous election update asked for analysis of election results patterns and implications per province. The results and allocation of seats are repeated here.

Provincial Election Results – NWP

Total registered voters	Total valid votes	Spoiled ballots	Voter turnout Provincial
1 669 349	1 107 079	18 629	66.32%

Party Name	Abbr.	No. of Votes	% Votes	Seats in Prov legislature
AFRICAN CHRISTIAN DEMOCRATIC PARTY	ACDP	5 728	0.53%	0
AFRICAN NATIONAL CONGRESS	ANC	733 490	67.39%	23
AFRICAN PEOPLE'S CONVENTION	APC	4 398	0.40%	0
AGANG SOUTH AFRICA	A G A N G S A	4 736	0.44%	0
AZANIAN PEOPLE'S ORGANISATION	AZAPO	1 796	0.17%	0
CONGRESS OF THE PEOPLE	COPE	8 692	0.80%	0
DEMOCRATIC ALLIANCE	DA	138 521	12.73%	4
ECONOMIC FREEDOM FIGHTERS	EFF	143 765	13.21%	5
INKATHA FREEDOM PARTY	IFP	1 496	0.14%	0
NATIONAL FREEDOM PARTY	NFP	1 582	0.15%	0
PAN AFRICANIST CONGRESS OF AZANIA	PAC	1 473	0.14%	0
SOUTH AFRICAN POLITICAL PARTY	SAPP	662	0.06%	0
UNITED CHRISTIAN DEMOCRATIC PARTY	UCDP	12 811	1.18%	0
UNITED DEMOCRATIC MOVEMENT	UDM	9 615	0.88%	0
VRYHEIDSFRONT PLUS	VF Plus	18 746	1.72%	1
WORKERS AND SOCIALIST PARTY	WASP	939	0.09%	0

It is no surprise that the ANC won the provincial elections in North West. The discontent displayed by service delivery protests as well as the memory of Marikana and subsequent labour protests did however cost the ANC votes. The party got 5.5% less votes than in 2009 and came down to 67.39% from 72.89%. The DA hoped that this discontent would be advantageous to them. It ended up in a heavily contested battle with the EFF to become the official opposition in the province, a position held by

COPE since 2009. COPE failed to get enough votes in North West to occupy one seat in the legislature. The DA did gain 4.34% to bring the party up to 12.59%, but the EFF edged past with 13.20% to become the official opposition. It was a good showing for a new party and the support in places like Marikana and Rustenburg has certainly contributed. The only other party with a seat in the provincial legislature is the VF+, with 1.72% of the votes in the province. The UCDP lost its two seats in the legislature and got

only 1.18% of the votes.

Four new MECs were appointed, filling vacancies left by outgoing Nono Maloyi, Raymond Elisha, Paul Sebegoe and Motlalepule Rosho. Of the six retained, only two continued in their previous portfolios: Dr Magome Masike at health and Wendy Matsemela at education and sports development. The reconfigured Rural, Environmental and Agricultural Development (Read) has been taken over by former local government MEC Manketsi Tlhape.

Former Member of Parliament Wendy Nelson is the new MEC for Treasury and Enterprise Development, while a stand-alone tourism department is headed by Desbo Mohono. The social development portfolio was given to Reginah Mochware, while public works and roads went to SACP leader in the province Madoda Sambatha. Local government is now combined with human settlements, and the new MEC is Collen Maine, while community safety and transport management is under Saliva Molapisi.⁸

Recommendations

The IEC provides information for its provincial offices regarding contact persons and locations. What is lacking is provincially focused pages with information about provincial election matters – i.e. composition of party liaison committees, summaries of decisions taken by these committees, voter education events in the province, exact programme of such events, number of voting stations etc. Publishing outcomes of engagement with relevant stakeholders in the province such as the media, youth formations,

trade unions, faith based formations and the business community as well as organisations representing people with disabilities would be helpful.

Surely after five elections the wheels of the IEC machine are supposed to be well-oiled. Ballot papers arriving late, voting stations opening late etc. are the type of situations that should no longer occur except in extreme circumstances, especially in identified hotspots. Security of ballot papers, whether counted or not, should be a priority at all times until election results are official. Complaints about IEC staff surfaced regularly. More transparency about the recruiting and training process might change negative perceptions. Detail about the screening process should be provided.

The IEC should always avoid being at the centre of any allegations of misconduct.

Lastly, there are a lot of local newspapers and radio stations in addition to the national broadcasters and publications. The IEC is not using local media in North

West optimally and is not motivating more local media to become involved in voter education and disseminating election-related information.

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EASTERN CAPE

Lashiola Kutya, Malachia Mathoho, Sibulele Poswayo and Stephen Shisanya – Afe-sis-corplan

Media Coverage

A free and fair election is not only about the freedom to vote and the knowledge of how to cast a vote, but also about a participatory process where voters engage in public debate and have adequate information about parties, policies, candidates and the election process itself in order to make

informed choices. The media acts as a crucial conduit for this and as a watchdog over democratic elections, safeguarding the transparency of the process. Indeed, a democratic election with no media freedom, or stifled media freedom, would be a contradiction in terms.

The primary focus of this article is on the printed press, radio, television broadcasters and new media, including online journalism and social media. A prime concern of media coverage of

elections is the right of voters to full and accurate information and citizen engagement in debates and dialogue on policy matters. The role of the media during the entire electoral process (pre-electoral, electoral and post-electoral) is to ensure that voters make informed choices and to provide a platform for candidates, parties and electoral bodies to canvas for votes and disseminate crucial voting information. To this end, the Independent Communications Authority of South Africa (ICASA) regulates party election

broadcasts and political advertisements, and ensures the equitable treatment of political parties in the media space.

Pre-voting

The Association of Independent Publishers¹ (AIP) recognised the importance of media in educating and informing the public during the election process; thus it conducted regional workshops titled the “People, Parties and Polls: Strategic Reporting for the 2014 Elections in South Africa”. The training, which was supported by the Open Society Foundation for South Africa, was aimed at equipping community journalists with skills to report on the 2014 elections. For the Eastern Cape Province the training was held on 30 to 31 January 2014. This was a way of enhancing Civic Education by focusing on reporters so that they have clarity and the essential skills on how to capture the process. Evidently, after the training the Eastern Cape Times reported vast election information ranging from previous elections, youth voices about elections, special votes, voter education, and political party dynamics, to mention but a few aspects.²

Port Elizabeth-based Bay TV, via its Facebook page, also gave the public a platform to discuss the elections, and looked at various political parties especially the ANC and DA. It emphasised the issue of respecting voting privacy (by informing the public from refraining on “taking selfies” i.e. photos). The national TV broadcasts and E-TV normal programming were adjusted to give a daily update on election coverage as from 7 May 2014 till 9 May 2014. The sole purpose was to keep the public updated on the process as it occurred.³

Electoral management institutions played a crucial role pre-, during and post-elections. For instance, in the run-up to the 2014 elections, the Independent Electoral Commission (IEC) made an effort to ensure that eligible voters, and especially young, first-time voters, were registered to vote. This involved the use of adverts on public and community media platforms, such as the IEC’s ‘I Vote South Africa’ (IXSA) campaign. The IEC also distributed voter education materials on various social media platforms such as Facebook, Twitter and Mxit. This made engaging with the IEC much easier for techno-savvy, first-time voters. The IEC also implemented a voluntary Schools Democracy Week programme in partnership with the Department of Basic Education in October last year – a first in South Africa.⁴

Algoa fm, a privately owned radio station based in Port Elizabeth and East London, reported on internal party news – for instance, the call by COPE to its supporters to vote for the party and to ignore the in-fighting in the party.⁵

Voting Period

During the voting period community media in the Eastern Cape Province published the dates and voting centres around the province.

Vukani community radio station, based in the Chris Hani District, aired some political debates during the election period where it created an opportunity for local political parties to present their manifestos and canvas for votes. Political debates were hosted in town halls in each of the eight municipalities in the Chris Hani District, and were transmitted live for listeners to interact with

the debates.

Among other media organisations, News24 and some local community radio stations around the province gave regular reports on the state of various polling stations. News24 even reported on a school hall torched in Sterkspruit which was later reported as not being a voting station.⁶

For the Eastern Cape, the Times Live reported the provincial electoral officer Thami Mraji acknowledging that the process was “credible, free, and fair in spite of the many challenges that were encountered”. The press also reported on some of the challenges faced during the process, which included parties’ complaints about the national ballot papers that could not be scanned as they did not have barcodes.⁷ The media also gave regular updates on the voting stations’ counting processes, and interviewed various individuals who were part of the election process in the various voting stations.

Overall, the media provided vast information to the public regarding the voting process, party politics, disseminating of results and the post-election cabinet announcements. Although the media tried its best to provide unbiased information, a degree of over-reporting on the main parties was witnessed: most reports centred on the ruling party, the ANC, and then the strong opposition parties, namely the Democratic Alliance, Economic Freedom Fighters, Congress of the People, Pan Africanist Congress of Azania and AgangSA.

Breakdown of results and allocation of seats as well as composition of provincial cabinet

The 2014 elections in the Eastern Cape were credible. They were conducted freely and fairly in spite the many challenges

that were encountered. That is according to the Independent Electoral Commission of South Africa's Eastern Cape electoral officer, Mr Thami Mraji.

The Eastern Cape had a high number of registered voters –

standing at 3,240,059. Of this number, 2,213,121 cast their votes. The table below shows a breakdown of the results per party and the percentage that each party organisation obtained in the provincial elections.

Table 1: Breakdown of results for the Province of the Eastern Cape

Party Name	No. of Votes	% Votes
AFRICAN CHRISTIAN DEMOCRATIC PARTY ACDP	7,291	0.33 %
AFRICAN INDEPENDENT CONGRESS AIC	16,786	0.77 %
AFRICAN NATIONAL CONGRESS ANC	1,528,345	70.09 %
AFRICAN PEOPLE'S CONVENTION APC	5,000	0.23 %
AGANG SOUTH AFRICA AGANGSA	2,372	0.11 %
AZANIAN PEOPLE'S ORGANISATION AZAPO	2,509	0.12 %
CONGRESS OF THE PEOPLE COPE	26,129	1.20 %
DEMOCRATIC ALLIANCE DA	353,316	16.20 %
ECONOMIC FREEDOM FIGHTERS EFF	75,776	3.48 %
INKATHA FREEDOM PARTY IFP	1,388	0.06 %
KINGDOM GOVERNANCE MOVEMENT KGM	3,932	0.18 %
NATIONAL FREEDOM PARTY NFP	3,472	0.16 %
PAN AFRICANIST CONGRESS OF AZANIA PAC	9,691	0.44 %
PATRIOTIC MOVEMENT OF SOUTH AFRICA PAMSA	759	0.03 %
UNITED CHRISTIAN DEMOCRATIC PARTY UCDP	1,194	0.05 %
UNITED CONGRESS UNICO	1,406	0.06 %
UNITED DEMOCRATIC MOVEMENT UDM	134,280	6.16 %
VRYHEIDSFRONT PLUS VF Plus	6,818	0.31 %
Total Valid Votes	2,180,464	100.00 %
Spoilt Votes	32,657	
Total Votes Cast	2,213,121	

Allocation of Seats

In South Africa, each of the nine Provincial Legislatures is required to allocate seats based on the votes each party has received. There are five political parties in the Eastern Cape Provincial Legislature. The table below shows the number of seats each of the five parties occupies in the Legislature.

Table 2: Allocation of Seats in the Eastern Cape Provincial Legislature.

NAME OF ORGANISATION	NUMBER OF SEATS
African National Congress	45
Democratic Alliance	10
United Democratic Movement	4
Economic Freedom Fighters	2
Congress of the People	1
African Independent Congress	1
TOTAL NUMBER OF SEATS	63

It is interesting to note that the Eastern Cape Provincial Legislature is led by a woman. The Speaker of the Legislature is the ex-Premier of the Eastern Cape, Ms Noxolo Keviet, and she has another woman, Ms Bulelwa Thunyiswa, as her deputy.

Composition of Provincial Cabinet

The Cabinet of the Eastern Cape is made up of 22 members, with 10 Departments, including the Department of the Premier. Previously there were 12 Departments; however, the following departments have been merged:

- Department of Finance and Economic Development **and** Environmental Affairs and Tourism;
- Transport **and** Safety and Liaison

The table below lists the various departments and their MECs.

Table 3: Composition of the Eastern Cape Cabinet.

DEPARTMENT		MEC
1	Premier	Premier Phumelo Maswale
2	Education	Mr Mandla Makhuphula
3	Roads and Public Works	Ms Thandiswa Marawu
4	Sports Recreation and Arts and Culture	Ms Pemmy Majodina
5	Rural Development and Agrarian Reform	Mr Mlibo Qhoboshiyane
6	Social Development	Ms Nancy Sihlwayi
7	Finance and Economic Development and Environmental Affairs and Tourism	Mr Sakhumzi Somyo
8	Transport and Safety and Liason	Ms Weziwe Tikana
9	Local Government and Traditional Affairs	Mr Fikile Xhasa
10	Human Settlements	Ms Helen Sauls-August
11	Health	Ms Pumza Dyantyi

Recommendations

Eastern Cape Province is the second-largest province in the country, and a large portion of it is made up of rural communities. Some parts of the province are not easily accessible by vehicles, which posed challenges to the IEC in the running of the elections; other deep rural areas do not even have electricity, which means voting could not continue until late evening hours as required by electoral law. All of these difficulties notwithstanding, the IEC managed to run free and fair elections in the province, but some improvements are required in certain respects.

There was an occasion where Presiding Officers denied some voters who were wearing party t-shirts or party colours a chance to vote, but the IEC Provincial Office communicated with the Presiding Officers to correct the matter. In future the IEC must provide more clarity to its Presid-

ing Officers on what procedures are to be followed by voters, as this is crucial: it might disturb the voting process and lead to chaos inside polling stations.

In the area of Mthatha, it was found that some of the results slips for the National Ballot did not have a barcode and could therefore not be scanned. Some party representatives were not happy with the process or explanation of transcribing the results into a new results slip with a barcode although the original slip was going to be kept with the new one. In the Lukhanji municipality (Queenstown area), there was a complaint from parties about ballot boxes that were not correctly sealed with the IEC official seal.⁸ These management and administrative glitches are challenges that give the IEC lessons to draw from in the future.

Peaceful protest is one of the democratic rights in which people are able to express their un-

happiness about the governance system. Communities tend to take the election period as an opportunity to get attention for their grievances from authorities. It was reported that during the elections some parts of the voting areas in the Eastern Cape Province were greeted by community protests, which aimed to disturb the voting process; the South African Police Service (SAPS) managed to quell these protests and allowed the voting process to continue. Although the protests were suppressed by SAPS in time, this should be a lesson to IEC that communities still need more voter education to be able to differentiate between the government and the IEC. The IEC must educate communities about the body's independence from government and about allowing other people to freely exercise their voting rights. However, the IEC indicated that it has conducted 1,565 events since the registration weekend of February 2014, and 87,297 people were reached

during voter education.⁹

END NOTES

- ¹ Bozo (2014), "People, Parties and Polls: Strategic Reporting for the 2014 Elections in South Africa". <http://www.aip.org.za/wp-content/uploads/2014/06/Election-Training-Report-2014.pdf> Accessed on 15 June 2014
- ² Eastern Cape Times (2014). <http://www.easterntimes.co.za/election-reporter/> Accessed on 15 June 2014
- ³ 2014 Election coverage to interrupt

- normal programming (May 2014). <http://www.baydu.co.za/?p=1384> Accessed on 17 June 2014
- ⁴ <http://www.issafrica.org/iss-today/sa-elections-first-time-voters-need-more-effective-education>
 - ⁵ Cope Eastern Cape wants voters to ignore party squabbles (May 2014). <http://www.algoafm.co.za/article.aspx?id=9310> Accessed 17 June 2014.
 - ⁶ Torched Eastern Cape hall not a voting station (May 2014). <http://www.news24.com/elections/news/torched-eastern-cape-hall-not-a-voting-station-20140505> Accessed

- on 17 June 2014
- ⁷ Results start coming in after elections. Times LIVE, Sapa, Reuters | 08 May, 2014 06:31 <http://www.timeslive.co.za/politics/2014/05/08/results-start-coming-in-after-elections> Accessed on 16 June 2014
 - ⁸ Eastern Cape IEC media statement, 08 May 2014, East London
 - ⁹ IEC Eastern Cape Provincial Office, the Media Briefing for the State of Readiness of the province delivered by Eastern Cape Provincial Electoral Officer, Mr Tami Mraji, on 25 May 2014

GAUTENG

Waseem Holland, Independent Researcher

Provincial Results and Seat Allocations

Party Name	Party Abbr.	Votes	% Votes	Seats Allocated in Provincial legislature
African National Congress	ANC	2,348,564	53.594%	40
Democratic Alliance	DA	1,349,001	30.784%	23
Economic Freedom Fighters	EFF	451,318	10.299%	8
Vryheidsfront Plus	VF Plus	52,436	1.197%	1
Inkatha Freedom Party	IFP	34,240	0.781%	1

Source: Independent Electoral Commission (IEC) website

<http://www.elections.org.za/content/NPEPublicReports/292/Results%20Report/GP/GP.pdf>

<http://www.elections.org.za/content/NPEPublicReports/292/Seat%20Calculation/National.pdf>

Gauteng Provincial Cabinet (Executive Council)

Mr David Makhura	Gauteng Premier
Ms Barbara Creecy	MEC for Finance
Mr Panyaza Lesufi	MEC for Education
Mr Lebogang Maile	MEC for Economic Development
Ms Nandi Mayathula-Khoza	MEC for Infrastructure Development
Mr Jacob Mamabolo	MEC for Human Settlements and Local Government
Ms Qedani Mahlangu	MEC for Health
Ms Faith Mazibuko	MEC for Agriculture, Environment, Rural Development and Social Development
Ms Molebatsi Bopape	MEC for Sports, Recreation, Arts and Culture
Mr Ismail Vadi	MEC for Transport
Ms Sizakele Emelda Nkosi-Malobane	MEC for Community Safety

“In addition to the appointment of the Members of the Executive Council, I have appointed: Mr Mxolisi Eric Xayiya, as the Special Advisor on service Delivery Interventions and Mr Mduduzi Mbada special Advisor on Policy and Governance,” said Mr Makhura, adding that changing the lives of the people of Gauteng is his main concern.¹

Recommendations

The percentage turnout for this 2014 election was 73.48% of the total registered population. A comparison of the turnout of voters against the entire eligible voting population reveals that the turnout was much lower than in previous elections. Based on census estimation, the turnout of voters on election day from the whole voting age population was about 59.34%. The legitimacy of a democratic leadership is heavily reliant on receiving a mandate of the largest portion of the population possible. While the turnout of South African voters is close to the international average², the low voter turnout should concern South Africans, because there have been only four other national and provincial elections conducted in South Africa. The decline of

voter turnout in such a short space of time does not augur well for the legitimacy of future elections in South Africa. Perhaps there needs to be a review of the registration system for the purpose of generating a voters' roll. One of the issues cited by economically disadvantaged people relating to registering to vote is that many do not have a valid identity book, which is the main requirement for registering.³ There may be a better way of ensuring that fraudulent activities do not occur in elections, and ID books being a requirement for registration may not be necessary.

Election day this year revealed that there seems to be a great disparity between voting centres in rural and urban areas, and this may mirror the infrastructural discrepancies in South Africa more broadly. Rural voting centres were not as well resourced, and officials were not as efficient as their urban equivalents. Therefore, there needs to be greater developmental efforts made towards improving rural voting centres.

The media were more or less impartial and fair in their coverage in the elections this year. How-

ever, a scan of the media in the lead-up to and on election day reveals that the coverage lacked substance and was perhaps not adequate in informing the electorate of the issues in the 2014 election. The print and broadcast media need to engage with the policy proposals made by parties more deeply and report on the arguments and debates made on the viability of policy proposals made by parties on the economy, inequality, education, corruption, foreign policy, amongst other areas.

END NOTES

- ¹ Statement issued by Special Advisor to the Premier Mr Mduduzi Mbada, Gauteng Provincial Government, May 24 2014, accessed from <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71651?oid=622050&sn=Detail&pid=71651>
- ² International IDEA website, voter turnout database, <http://www.idea.int/vt/viewdata.cfm>
- ³ Centre for Social Development in Africa, University of Johannesburg, “Voting Behaviour and the influence of Social Protection”. <http://www.uj.ac.za/EN/Newsroom/News/Documents/2014/CSDA%20media%20briefing.pdf>

MPUMALANGA

**Oupa Makhalemele –
Independent Researcher**

Media Coverage

The media, both print and electronic, ran extensive coverage of the 2014 elections, in the run-up to, during and after the 7 May polls. The public broadcaster, bound by the legislative framework on election coverage, also played its part, using platforms such as television programmes

and radio to educate the public about elections. A plethora of programmes focusing specifically on the election were broadcast on television, hosted by the South African Broadcasting Corporation (SABC), the free-to-air channel E-TV and a number of pay-channels. These programmes hosted debates between contending political parties in different provinces across the country, providing a platform where parties, political analysts and the public

could take on one another about parties' policies and respective manifestos in the context of the country's biggest challenges of poverty inequality and unemployment.

During the voter registration period the media in Mpumalanga ran public announcements to encourage eligible citizens to register their names on the voters' roll. Previous voters were taken through the procedure to check

if they were indeed registered where they intended to vote in 2014, particularly important for the provincial legislature votes. Taking on an educational role, these announcements also encouraged first-time voters, the so-called ‘born-frees’ to register. Newspaper publications and radio stations published and broadcast election education programmes, carefully written in plain language. They also used the IEC-generated graphic illustrations on the election process, to familiarise voters, especially first-time voters, with the voting process. Provincial newspapers such as the *Lowvelder*, *Mpumalanga News*, *Barberton Times*, *Nelspruit Post*, and the *Hazyview Herald* covered election-related news in the run-up to, during and after the elections, informing the public about the upcoming elections and the electoral procedures, covering the actual elections and informing the public about the swearing-in of the new provincial legislature on 21 May 2014. The regional and community radio stations also played their part in informing the public about elections. National newsprint titles also covered election-related news on Mpumalanga, notably the *Sowetan*, *City Press*, *Business Day* and the *Mail & Guardian*.

Newcomer television news chan-

nel ANN7 had different election-themed programmes, notably *Political Edge*, and also hosted different political parties debating topical subjects related to the upcoming elections, allowing studio audiences to interact with the invited panellists. Perhaps the flagship programme in ANN7 was the *SA Decides* section called “National Election Tracker”, which ran updates of an election poll, showing contending parties’ support, breaking it down into segments such as the age group of voters, voter socio-economic backgrounds and projected performance of parties per province and so on. As will be discussed below, this was a more nuanced approach to the pre-election coverage in the media, as it gave the public a sense of the different ways different sections of the public viewed their voting options. Race, class, age and education levels, for example, were shown to determine to some extent which parties’ voters were likely to vote for.

A deeper analysis of this coverage, however, reveals a lack of in-depth probing of the parties’ policies and manifestos, which could serve the purpose of affording parties the opportunity to sell their policies and expand on these, while also giving the voting public an opportunity to make informed choices. Media Monitor-

ing Africa (MMA) conducted a survey of 50 news organisations, including print, online and broadcasting outlets, reviewing the media’s performance during the period around the 2014 elections. The report concluded that the biggest proportion of news coverage during the period emphasised party campaigning and party politics (a combined 52% of all news coverage).¹ The MMA report also found that three major scandals hogged the media’s attention: the so-called Nkandlagate, the IEC chairwoman’s lease debacle and the public broadcaster’s ‘bans’ of opposition party campaign advertisements (the DA’s ‘*Ayisafani*’ and the EFF’s ‘Removing the e-toll gantries physically’).

Not enjoying as much coverage as would have been hoped, the report contended, were issues such as gender, the environment, labour, housing, land, and even poverty. Voter education, although covered to some extent, was largely marginalised. Service delivery (and the protests that highlighted challenges therein) was among the marginalised issues, according to the MMA’s report. According to this analysis it can be said that parties trumped citizens when it came to setting the agenda for media coverage of the elections.

Breakdown of results and allocation of seats

	Total actual Number of votes	Percentage share%	Number of seats in Provincial Legislature
African National Congress (ANC)	1,045,409	78.23%	24
Democratic Alliance (DA)	138,990	10.40%	3
Economic Freedom Fighters (EFF)	83,589	6.26%	2
Bushbuckridge Residents Association (BRA)	15,368	1.15%	1

Source: IEC, available on: <http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

Composition of Provincial cabinet

Name of the Member of the Provincial Cabinet	Gender	Portfolio
MEC Mr Andries Gamede	Male	Agriculture, Rural Development and Land Affairs
MEC Mr Vusi Shongwe	Male	Community Safety, Security and Liaison
MEC Ms Refilwe Mtshweni	Female	Co-operative Governance and Traditional Affairs
MEC Ms Norah Mahlangu	Female	Culture, Sports and Recreation
MEC Ms. Makgabo Reginah Mhaule	Female	Education
MEC Mr Eric Kholwane	Male	Finance, Economic Development and Tourism
MEC Mr Gillian Mashego	Male	Health
MEC Ms Violet Siwela	Female	Human Settlements
MEC Ms Dumisile Hlengethwa	Female	Public Works, Roads and Transport
MEC Ms Nomsa Mtseni	Female	Social Development

Source: Mpumalanga Provincial Government website: http://www.mpumalanga.gov.za/new_cabinet.htm

It is important to note that in the aftermath of public fallout concerning the virtually male-only premiers in the provinces the ANC leads, the Mpumalanga Provincial Legislature is represented by 60% women. Also important to note is the fact that these women are in charge of important portfolios. It will be interesting to see how the new MEC for Co-operative Governance and Traditional Affairs handles herself in a portfolio whose main constituencies include patriarchal institutions.

Recommendations

By all accounts the electoral process in Mpumalanga went smoothly, attesting to the consistently improving operations of the Independent Electoral Commission. Voter education needs to be strengthened, though, particularly with regard to the implications for voters who will not be in their regular voting area come election day. Most of the incidents reported in the 2014 elections involved voters turning out in numbers larger than anticipated at certain polling stations.

This led to delays and sometimes frustration for the voters and the IEC officials.

Administration at the provincial legislature level will require careful management. This is particularly important in the context of factionalism, which has often led to members serving in the provincial legislature being removed from their positions, threatening loss of institutional memory and hampering the retention of skills and experience.

References:

Evans, Sarah. (2014) "Media ignores 'citizens agenda' in election coverage" 5 May 2014, *Mail & Guardian*.

IEC, available on: <http://www.elections.org.za/content/Elections/National-and-provincial-elections-results/>

<http://www.saelections.co.za/?gclid=CKjV4tO64ZkCFZCD-3god1Ax3aQ>

<http://www.mpumalanga.gov.za/legislature/legislature.htm#105>

Mpumalanga Provincial Government website: http://www.mpumalanga.gov.za/new_cabinet.htm

END NOTES

- ¹ See Evans, Sarah, (2014) "Media ignores 'citizens agenda' in election coverage" 5 May 2014, *Mail & Guardian*.

NORTHERN CAPE

Obakeng Bonokwane – Independent Researcher

Review of the media's performance in coverage of the elections

The media forms part of an important component of democracy. Hence the role of this component is to keep the electorate abreast of developments in their communities. The coverage of political parties in the province was equitable and fair. In the run-up to the election and to the actual day, however, the African National Congress (ANC) got the biggest slice of the coverage merely because it was and still is a majority party in the province. Besides that, opposition parties also highlighted the ruling party every time they got a chance. This process was repeated with regard to the Democratic Alliance (DA), and this was partly because the DA was seen by many commentators as the real contender to take the province.

ANN 7 and the *New Age* played an active role in agenda-setting, allocating reports in the province to cover issues which were central to the elections, and is-

sues which dominated the May 7 elections were, among others, unemployment, corruption, maladministration, service delivery and poverty. *The Diamond Field Advertiser (DFA)* has been seen by the ANC as being part of the opposition. In 2012 during his political report, the ANC Provincial Chairperson John Block accused some local publications of playing the role of opposition in the province: he said that the negative reporting by the local media was a worrying tendency that placed them in the fold of the opposition.¹

The public broadcaster also played a meaningful role in agenda setting, with its radio and television stations hosting leaders of political parties in the province, creating a platform for them to sell their manifesto to the people of the Northern Cape. Local newspapers and radio stations had balanced content in covering all political parties; this is according to an ANC member I spoke to on the role of the media in the electoral period. Another ANC member I spoke to said that the *DFA* was deliberately attempting to undermine the ANC in the province – this was after the *DFA*

reported that the number of people who attended the ANC Siyanqoba Rally in Galeshewe stadium were less than 5,000. This member claimed that the ANC attracted more than 5,000 people to that event, and they used number of T-shirts they distributed as a tool to count how many people they had in that event. In conclusion, one can safely say that the media played its role well and fairly.

Breakdown of results and allocation of seats and composition of the provincial cabinet

ANC	272 053	64,40%	20
DA	100 916	23,89%	7
EFF	20 951	4,96%	2
COPE	15 214	3,60%	1
FFPlus	4 600	1,09%	-
ACDP	2 421	0,57%	-
UCDP	1 542	0,37%	-
APC	1 191	0,28%	-
AZPO	1 062	0,25%	-
PA	584	0,14%	-
PAC	460	0,11%	-
UDM	366	0,09%	-
ICO	499	0,12%	-
IFP	239	0,06%	-
FNLA	194	0,05%	-
NFP	139	0,03%	-
SPOIL BALLOTS			
6 106	1.42%		
TOTAL TURN OUT			
443 714			

Source: IEC

After being appointed as premier Sylvia Lucas moved to appoint her cabinet. After much consultation with the ANC leadership, the premier appointed the following people to assist her in executing her executive duties.

MEC for Finance and Economic Affairs: John Block

MEC for Agriculture and Land Reform: Norman Shushu

MEC for Health: Mac Jack

MEC for Social Development: Mxolisi Sokatsha

MEC for Cooperative Governance and traditional Affairs: Alvin Botes

MEC for Education: Griezelda Gikella-Lecholo

MEC for Sports, Arts and Culture: Lebogang Motlhaping

MEC for Transport, Safety and Liaison: Martha Bartlett

MEC for Environmental and Nature Conservation: Tiny Chotelo

Conclusion

Northern Cape politics are very interesting: after the 2009 general elections it was widely expected that the ANC chairperson John Block would be appointed premier. He was overlooked and an NEC member Hazel Jenkins was appointed premier instead. And after the May 7 general elections John Block was once again expected to assume the position of premier, until the last stage of the process where he withdrew his name from the three names that were sent to the ANC National Executive Committee for consideration. His reasons were that he wanted to focus more on growing the ANC in the province. It should be noted that the Northern Cape is the only province governed by the ANC that has a

woman as premier. The premier of the province is also a PEC member of the ANC. Six provinces are led by ANC provincial chairpersons, and Gauteng is led by its provincial secretary as premier.

END NOTES

¹ Political Report 7th provincial conference (ANC)

FREE STATE

Dr Sethulego Matebesi – Chairperson, Department of Sociology, University of the Free State

Introduction

Elections are generally regarded as the hallmark of democracy, and if not constructively managed they could potentially destabilise the fabric of states and societies. This article broadly narrates the role and performance of the media during the pre-electoral, electoral and post-electoral period. The media plays a crucial role in all societies. The media becomes the conduit for communication by affording constituents all information necessary for them to make informed choices about whom to elect. Secondly, the article reflects on the breakdown of the provincial election results and composition of the Provincial Cabinet. It concludes by providing some recommendations on elections' administrative, management, and procedural reforms.

Media Coverage

South Africa faces several challenges in consolidating its democratisation processes, and these include the conducting of free and fair elections. In this regard, the country needs a diverse, free and professional media which actualises the right of freedom of expression. The latter is a critical in elections.¹ In the Free State (FS), the media is dominated by national electronic and print media and regional and local print media. The leading regional newspapers include *Volksblad*, *The Weekly* and several community newspapers.

The media in the FS, like in any other province, focused on several aspects before, during, and after the elections. During the pre-election period, the media played an important role by informing FS citizens about the parties and leading candidates contesting the elections. Most media houses also dedicated several pages to exclusive coverage of the elections. This sensitised the electorate and the rest of the citizenry on the proper conduct of elections. Major aspects that dominated the pre-election period were several questions about the "the independence" of the IEC, the use of state agencies and departments by the ruling party in its campaigns and the preparedness of the IEC. In addition, several South African Broadcasting Corporation (SABC) and local radio stations hosted live shows, which provided a platform for all candidates and their parties to present their manifestos to the public.

The diverse and pluralistic media in the FS played an important role by encouraging registered voters to cast their votes during the elections. The media, particularly the *Volksblad*, played an important role by highlighting the impact of party election manifestos on voters. Local print media focused on providing technical information, about how to vote, where to vote, and the secrecy of the vote. The media also highlighted several hotspots where violence could potentially disrupt the elections.

The post-election media coverage in the province was dominated by the victory of the ruling African National Congress (ANC) and what the result means for the FS. Several media reports also

focused on the gradual decline of the votes the ANC received, which dropped below 70%. Attention was also paid to the demise of the Congress of the People (COPE), which was replaced as the official opposition by the Democratic Alliance (DA), and the role that the Economic Freedom Fighters (EFF) would play in the provincial legislature.

Election results, allocation of seats and composition of Provincial Cabinet

The FS Legislature held its first sitting of the 5th term on 21 May 2014. During this sitting, new Members of the Provincial Legislature (MPLs) and the Premier of the Province were sworn in. Table 1 depicts the election results and composition of the Legislature. The ANC is the majority party with 22 seats, the DA is the official opposition with 5 seats, the EFF has 2 seats and Freedom Front Plus has 1 seat. MPL Magashule was re-elected the Premier of the FS Province, Sisi Mabe was elected the Speaker of the Legislature, while Sizwe Mbalo retained his position as the Deputy Speaker. MPL Motete Daniel Khoabane was elected as the Chairperson of Committees. The ANC also announced MPL Cornelis Johannes Van Rooyen as the Chief Whip of the majority party in the Legislature.²

Table 1: Results and composition of Provincial Legislature 2014 – Free State

Party name and abbreviation	Percentage share %	Number of seats in Provincial Legislature	Members of the Free State Legislature ³
African National Congress (ANC)	69.85%	22	1. ES Magashule 2. E Mabe 3. S Mbalo 4. MD Khoabane 5. CJ van Rooyen 6. T Makgoe 7. S Ntombela 8. LP Mahasa 9. MS Moleleki 10. LN Mapena 11. SM Mlamleli 12. TP Meeko 13. E Rockman 14. M Qabathe 15. MP Buti 16. CSK Setchoaro 17. D Kotzee 18. M Zwane 19. MS Mashinini 20. NS Leeto 21. M Khompela 22. B Malakoane
Democratic Alliance (DA)	16.23%	5	1. DE Janse van Rensburg 2. R Jankielsohn 3. LJ Letuka 4. M Pittaway 5. LM Kleynhayns
Economic Freedom Fighters (EFF)	8.15%	2	1. JT Tshabalala 2. M Makesini
Vryheidsfront Plus (VF PLUS)	2.10%	1	1. W Wessels

Source: Independent Electoral Commission⁴

Recommendations

The independence of the electoral institutions has come under serious scrutiny lately in South Africa. Similarly, administrative, management and electoral procedures are undermined by a number of factors. If not adequately addressed, this could result in a multiplicity of controversies in virtually every aspect of the elections in future. For example, the gross transgression by an IEC official, who irregularly kept ballot papers at his home, is reflective

of the recruitment procedures of the IEC. In this regard, far more stringent background checks (vetting) of polling station managers and officials should be implemented.

During the 2009 provincial elections, several complaints about the late opening of polling stations and insufficient numbers of ballot papers were reported. Similar complaints were reported during the May 2014 elections, albeit at a lower scale. These management aspects need to be

addressed as a matter of urgency by the provincial IEC. Lastly, all but one of the officials at the provincial offices of the IEC were not supportive. Several email messages requesting information were sent to officials, but no responses were provided.

Conclusion

While the media is good at exposing election violations, it often fails to investigate and follow up on these violations. The media needs to keenly follow

up any reported malpractice to protect the integrity of the electoral process. Although positive gains have been made in respect of media freedom, there is still a strong culture and tendency towards curtailment of the media, especially the public broadcaster, during elections. The media must continue to strictly adhere to ethics and professional norms, as it is the primary means through which ordinary citizens participate in the political processes, and limited access undermines their democratisation function. This retrospective analysis shows

that opposition parties participate under stringent conditions. In conclusion, the FS province has been facing several challenges and it is yet to be seen how the newly elected provincial MPLs will ensure that the principles of good governance become the hallmark of their leadership.

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KWAZULU-NATAL

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Media

The SADC Lawyers Association (SADCLA) Elections Observer Mission to KwaZulu-Natal found that the elections enjoyed broad media coverage and that political parties were well represented by the SABC. The Mission also noted that there were various election-related programmes and political party debates where parties were provided the opportunity to reach voters. The Mission further noted that the Electoral Court was able to take action speedily, enabling the effective resolution of election-related disputes. This was in relation to broadcasting grievances logged in relation to the DA SMS and the EFF advertisement.¹ The Mission findings reflect coverage by mainstream print (English) media in the province. A scan of the three main dailies, the Mercury, Witness and Daily News, on the day after the

election (Thursday 8 May) revealed broad coverage of voting across the province. The Mercury, for example, reported on voting among different age groups and featured political party strongholds and voting by political party leaders. It also featured IEC processes and challenges. The Witness provided a detailed list of election facts in the style of 'frequently asked questions' and profiled ordinary voters across the province. The Daily News led with a sensational story, 'Murder at polling station', outlining an incident of electoral violence. It also reported on service delivery protests, the Abahlali baseMjondolo (shackdwellers) vote, the Kasril's campaign and voting in Wembezi and Ulundi (well-known hot-spots for electoral conflict). The Friday (9 May) Mercury and Witness carried election results as of midnight and various editorials on the ANC, IFP, NFP and EFF performances in the province. The New Age similarly led with tables of results and a headline 'ANC in KZN landslide'. Print media also

focused on education and provision of information for voters. The Sunday Tribune (4 May), for example, carried a supplement entitled 'My vote is my voice', detailing the voting and counting process, which included a voting checklist instructing voters on how to check whether they were on the voters' roll, and detailed, illustrated instructions on how to mark the ballot paper.

Allocation of Seats & Composition of Provincial Cabinet

The victory of the African National Congress (ANC) in KwaZulu-Natal gives it the highest number of seats in the province – 52. The Democratic Alliance (DA) follows with ten seats and the Inkatha Freedom Party (IFP) is not far behind with nine seats. The National Freedom Party (NFP) gained six seats, the Economic Freedom Front (EFF) two seats and the Minority Front (MF) gained one seat. The six parties awarded seats in the provincial legislature following the 2014 elections are reflected in the

table below.

Allocation of Seats: KwaZulu-Natal 2014²

Party Name	Provincial Ballot		Seat Allocations	
	No. of Votes	% Votes	Seat Allocation	% of Seats
ANC	2 474 904	64.52%	52	65.0%
DA	489 428	12.76%	10	12.5%
IFP	416 471	10.86%	9	11.3%
NFP	280 413	7.31%	6	7.5%
EFF	70 823	1.85%	2	2.5%
MF	38 960	1.02%	1	1.3%
ACDP	16 803	0.44%		
VF Plus	7 695	0.20%		
APC	7 039	0.18%		
UDM	6 632	0.17%		
COPE	5 968	0.16%		
AZAPO	5 872	0.15%		
TA	4 082	0.11%		
PAC	2 930	0.08%		
KZNTA	2 796	0.07%		
UCDP	2 186	0.06%		
KGM	1 903	0.05%		
UBUMBANO	926	0.02%		
Total Valid Votes	3 835 831		80	
Spoilt Votes	51 831			
Total Votes Cast	3 887 662			
Registered Voters	5 117 131			
Turn out	76.0%			

The provincial premiership is retained by Senzo Mchunu, despite speculation that Nomusa Dube-Ncube was in the running for the first female premier candidate in KwaZulu-Natal.³ Premier Mchunu announced his new cabinet, which reflected 'continuity rather than change'. Peggy Nkonyeni, Sdongiseni Dhlomo and Willies Mchunu retain their positions as MECs for Education, Health and Transport respectively. Likewise, Nomusa Dube-Ncube, Ravi Pillay, Ntombikayise Sibhidla-Saphetha and Weziwe Thusi remain MECs for: Cooperative Governance and Traditional Affairs; Human Settlements and Public Works; Arts, Culture, Sports and Recreation and; Social Development. Some departments have however been re-arranged – the Department of Economic

Development and Tourism now includes Environmental Affairs, and the Gambling Board has been moved from the Premier's Office to the treasury.⁴ Lydia Johnson was elected Speaker and Mshack Radebe Deputy Speaker.⁵

Leading the DA in the legislature is current provincial leader Sizwe Mchunu, who was re-elected unopposed, with MPLs George Mari, Mbali Ntuli, Francois Rodgers, Hlanganani Gumbi, Ann McDonnell, Imran Keeka, Rafeek Shah, and Rishigen Viranna.⁶ The IFP is led in KwaZulu-Natal by Mzamo Buthelezi, with veteran MPLs, including Lionel Mtshali, Blessed Gwala and Mntomhule Khawula, as well as newcomer Hassan Motalla, who joined the ANC for four days in April 2011 only to return

to the IFP.⁷ The NFP faces some internal strife owing to the fact that the Zululand region has no representative in the provincial parliament. The seats are allocated to representatives from eThekweni and from uThukela.⁸ The two EFF seats are filled by Vusi Khoza the party's leader in KwaZulu-Natal and Thembi Msane.⁹ The MF seat is filled by its leader Shameen Thakur-Rajbansi.

Recommendations

The SADCLA Election Observer Mission made a number of recommendations regarding elections and the electoral process in KwaZulu-Natal. Among these it noted that the IEC should provide continuous education for voters and training for electoral officials. It added that civil society must con-

tinue to promote peace-building through education and dialogue. Further, the South African Human Rights Commission ought to play a larger, more visible role in elections. The Mission also recommended that provincial government incorporate conflict management and peace building into government programming. It added that political parties should engage in sustained respect and tolerance of each other and that peace-building programmes should include traditional leaders, women's groups and youth to ensure broad-based support and ownership by stakeholders in the electoral process.¹⁰

The Observer Mission recommendations highlight the fact that the KwaZulu-Natal election was, for the most part, well managed in terms of voting, counting and addressing election-related disputes / incidents of protest. Despite the fact that there has been a reduction in electoral violence, however, the province is still plagued with 'political assassinations' and instances of intolerance between political parties and their supporters. The role of civil society in elections was visible and significant, as evidenced by the creation of platforms for electoral debate and the formulating of an independent observer mission.

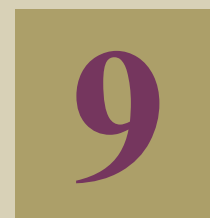
END NOTES

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ELECTION UPDATE 2014



SA ELECTIONS 2014: THE FINAL ISSUES – PRIVATE FUNDING OF POLITICAL PARTIES, YOUTH PARTICIPATION AND NEW POLITICAL ENTRANTS

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EDITORIAL NOTE

This is the final edition of the 2014 series of the EISA Election Update. It provides an analytic article from Ivor Sarakinsky providing an outline of some of the inherent pitfalls and weaknesses in the possible regulation of private funding of political parties as a rebuttal to two earlier pieces arguing for the Regulation of Private funding of Political parties (appearing in Issue 5 and 7 of the Election Update).

The series concludes with two further articles. One examining the nature and level of political

engagement of the youth in politics South Africa with a particular focus on election 2014. The last concluding article provides insights into the impact of the new political contestants with a focus on the Economic Freedom Fighters entrance into the electoral landscape and its possible impact on parliamentary politics and the future political climate in South Africa.

We hope you enjoyed this series and that it proved of some use and interest to your work.

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PARTY POLITICAL FINANCE AND MULTI-PARTY DEMOCRACY IN SOUTH AFRICA’S 2014 ELECTION

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Introduction

Just as one can calculate the orbit of planets, so too is it possible to

predict the return of secret private political funding as an issue in South Africa. Unsurprisingly, it crops up before elections and is pursued by well-meaning civil society organizations which are deeply concerned about electoral transparency in South Africa’s

maturing democracy. Of course, a bit of programme funding from global philanthropic organizations for cash-strapped NGOs does not adequately explain the frequency of the calls for party political finance regulation in South Africa. Nonetheless, the

claims made about the corrosive effect of secret political finance on South Africa's body politic require close scrutiny. What effect would private finance regulation and disclosure have on South Africa's electoral processes, and would they enhance or undermine multi-party democracy? The outcomes of the 2009 and 2014 elections provide evidence that will contribute to a deeper understanding of the issues involved in this controversy.

Overview of Global Experience

In many, but not all, consolidated democracies, there is a regulatory regime for private donations to political parties. Usually, they entail a threshold – meaning that all donations above a set amount have to be declared by the receiving political party. This threshold becomes extremely complicated as it is applied to parties, candidates and local party branches. The justification of such regulations revolves around the claim that large donors can influence the policy agenda of parties and this information needs to be in the public domain so as to allow citizens to make informed choices at the ballot box. Thus, transparency in political finance keeps the democratic system accountable to citizens and contains the ability of special interest groups to influence a country's policy agenda. In this way, democracy is responsive to citizens and elections reflect the will of the people and not the short-term interests of the powerful.

In the overwhelming majority of democracies where private donations are regulated, there are ongoing scandals and criminal trials where politicians and/or their agents have been discovered circumventing the rules. Recently in the United Kingdom, this took the form of donations

being accounted for in the financial records of the main parties as non-repayable loans. In the United States, where there is a very complex regulatory regime, the scandal revolved around funding disbursed by third-party lobbyists to politicians' Political Action Committees. In the scandal and legal proceedings involving Jack Abramoff, it emerged that there is a long-standing practice across the political parties of disbursing large amounts of money to politicians without the identity of the donors being made public. Perhaps the most disturbing development in America's private political donations arena is the emergence of well-funded organizations flying adverts on TV for specific policies while attacking other candidates for office. These concerned citizens groups are not overtly connected to a political party and they are not regulated by the existing regulatory framework. John Kerry's presidential campaign was derailed by such a group attacking his Vietnam War record. In this way, private donations circumvent regulation and have a significant influence on the political process. Currently, the former French president, Nicolas Sarkozy, is about to be charged for receiving illegal campaign funding as well as attempts to cover such deeds up.

Many more instances of similar abuses of regulatory regimes in other democracies could be documented here. However, these examples support the view that: a) Political parties require significant amounts of finance for their routine operations and periodic election campaigns; b) Regulation, in and of itself, is no guarantor of a transparent and accountable democratic system; c) The flow of private money into the political process will always occur by way of circumventing

and or loop-holing existing regulations; d) Regulating private political donations is both complex and imperfect, leading to unintended outcomes; e) Some private donors will innovate in circumventing regulations to buy influence despite a regulatory framework; and f) there are situations, recognized in the literature on private political finance, where regulation and transparency may undermine multi-party democracy. Consequently, calls for private political donation regulation in South Africa require careful consideration in order to ensure that the objectives of transparency and accountability do not undermine or hinder multi-party competition in an election contest.

The South African Context

Political parties in South Africa have access to public funding disbursed by national parliaments and provincial legislatures. This is managed in accordance with the Public Funding of Represented Political Parties Act (Public Funding Act) of 1997. A budgeted amount is disbursed proportionally to the percentage of seats each party holds in the house. While not insignificant, the amount of public money allocated to parties is insufficient for the full operation of political parties, which includes, inter alia, office expenses, wages and campaign fees. It is the latter that constitutes the greatest expense facing all parties. Advertising, travel, event logistics and printing are fundamental to the democratic process in presenting citizens with information crucial for their electoral choices. Democracy therefore depends on parties disseminating their manifestos as widely as possible to enable informed voter decision-making. It is in this context that the private political funding, and its secret

nature, becomes so important in South Africa.

Private political funding in South Africa is further complicated by the status of donors. Three categories can be identified, each with different implications. First, there are individual donors who donate some of their private wealth to political parties. This can vary from small to large amounts and does not necessarily suggest the buying of influence. Second, public companies make donations and while couched under the rubric of democratic support, may have elements of positioning linked to them. However, the rigours of corporate governance in South Africa result in all public companies having to declare such donations in terms of transparency and accountability to shareholders. These donations are easy to track and monitor with regard to any possible ulterior motive. The last category of donor is the most problematic in the South African context. It is the unlisted company or small business. There is no possibility of donations made by

these entities being made public, and it is in this sector that the possibility of buying influence is at its highest.

The only data that is available on private political funding in South Africa comes from public companies. It is important to present and analyse this data, as it reveals important trends and patterns impacting on the financial standing of all political parties. With few exceptions, most donations in this category follow a proportionality formula for donating funds to political parties. This replicates the formula for disbursing public money to political parties as discussed above. Totaling up the amounts from various public companies over a 15-year period shows that the ANC as the majority party received around 65% of the amounts made available by the companies. The smaller, opposition, parties received significantly less based on the number of seats held in parliament. The exception to this trend is Anglo Gold Ashanti, which aims to support multi-party democracy by

attaching “greater weight to the principles of equity and diversity than to the principle of proportionality based on parties’ previous performance in elections”. This is the only public company that has given opposition parties funding at least equal to that given to the majority party. Moreover, in the lead-up to the 2014 election, some public companies publicly stated that they are no longer making political donations, and the pot of public company donations for political parties has therefore decreased dramatically. In 2014, fewer companies made political donations than in earlier elections.

The available data on public company political donations in 2014, excluding AngloGold Ashanti, mirrors the trend noted above, that the majority party receives the lion’s share of available funds. Checking through the most recent annual reports did not disclose the amounts donated by some companies, but this will be available in their 2014/5 financial statements.

Company	Amount	Disbursement Criteria
AngloGold Ashanti	R?	Amount unavailable – previously larger amount to ANC, and DA and remainder then split with other parties
ABSA 2013	R2.5 mill	Parties with more than 4 seats, probably proportional distribution
MTN	R?	For 13 political parties, probably proportional amount not released
SAB Miller	R9 mill	ANC R5 mill, rest divided between DA, IFP, COPE, UDM and FF
Standard Bank	R13.5mill	Amount is for a five-year electoral cycle and probably proportional distribution

What the available data shows is that fewer public companies are donating and that the distribution formula favours the majority party. In this sense, the outcome of the distribution of public funding and corporate donations is similar. The implication of this is clear: smaller parties are un-

der-resourced and therefore unable to disseminate information as widely, thereby limiting their reach and citizens’ information and choices. This impacts negatively on democracy, as the larger parties, by definition, are the better resourced and are able to swamp smaller parties thereby

undermining political competition and the dissemination of diverse information necessary for voter decision-making.

If this trend of proportionality is extrapolated to a hypothetical situation where all donations above a threshold have to be declared

(private, public corporate and unlisted corporate), then there is a real possibility that this practice of proportionality will be to the detriment of smaller opposition parties. This extrapolation would be exacerbated by a perception that donations by (especially unlisted) companies to opposition parties may impact negatively on their prospect of doing business with government. This is a perception, not a claim that it will result in retribution from the governing party. As long as there is a fear of being disadvantaged in competing for government contracts, businesses will be inclined not to donate to opposition parties, even if they support them. There is evidential support of this perceived fear amongst business, as most recently noted by Lance Greyling (ID/DA) in an ISS workshop on private political finance regulation. Furthermore, the IFP and DA stressed this possible outcome in their response to IDASA's 2006 litigation for party finance disclosure.

Donations from public funds and public corporations are miniscule in relation to what all parties spend on operations, travel, advertising campaigns and events. The balance in funding comes from categories 1 and 3 donors noted above, with the latter probably being the most important. Data on spending is hard to come by, but some estimates have been made on advertising time slots on TV. The DA is reported to have had a budget of R170 million for the 2014 election, of which about R13 million is estimated to have been spent on TV advertising alone. The ANC is estimated to have spent just over R17 million on TV slots. These amounts exclude billboards, memorabilia, mass SMSs, newspaper adverts etc. Clearly, significant sums of funding are required to run an effective election campaign where

the message is disseminated effectively, thereby allowing citizens to make informed choices. If the bulk of political donations come from unlisted companies or small businesses, then this creates a number of challenges. First, the buying of influence at local, provincial and national level might be enhanced. However, an examination of corruption trends shows that the media, civil society and state agencies have in the past been the most important source of information on such acts. Regulation in and of itself is no guarantee that corrupt relationships will not be established. Second, it is precisely unlisted companies and small businesses that may rely on government contracts and thereby perceive donations to opposition parties as harmful to their business interests.

The 2014 Election

What does the 2014 election tell us about the points raised above? First, the larger parties were notably cash flush in financing their intensive and widespread campaigns. Digging a bit deeper, it is noticeable that the DA had to make some tough choices as to where to focus its resources. It is estimated that it spent R100 million of its budget targeting Gauteng. The Gauteng result shows that this money was well spent in generating a large amount of support for the DA. However, the opportunity cost is that only R70 million was available for the other provinces. More resources in the Northern Cape, North West and Eastern Cape may have resulted in better results there. Clearly the DA did not have the resources to run intensive campaigns throughout the country. On the other hand, the ANC ran an effective and intensive national campaign with leaders travelling around the country,

including isolated and distant areas and towns. This goes some way in explaining how the ANC was able to obtain a 63% election victory at national level in a difficult environment due to a number of scandals and service delivery challenges. This kind of national campaign is premised on a rather large amount of available finance. This supports the argument above regarding proportionality and incumbency enabling the ANC to raise healthy amounts of finance for its operations and campaigns.

Although there is currently no statutory requirement for parties to disclose their financial sources and amounts, some information became available in the 2014 election. It revolved around the proposed merger of the DA and Agang and the claim from both parties that donors were pressing for such. Names of donors in this context were allegedly revealed in the press, but no amounts were reported. However, after the election, it emerged that Agang received donations to the tune of R30 million. This is quite significant in relation to the public funding and corporate donations listed above, of which Agang did not receive a cent, due to it being a new party. As a result of turmoil within the party, this cash windfall did not translate into votes, and only two seats were won in Parliament. Another new party, not eligible for state or public company funding, is the EFF. This party ran an effective and intense campaign and won over a million votes, with 25 parliamentary seats as well as representation in provincial legislatures. In terms of the hostility between the ANC and EFF, it is fair to assume that no business donor to the latter would be enthusiastic about their financial support being made public. Nonetheless, there is no indication where the EFF received its finance from

and how much it spent in its campaign. However, the widespread nature of its campaign suggests that it was not short of funds.

The ANC, DA, IFP, NFP, Cope and CDP are now joined by two new parties in Parliament, namely Agang and the EFF. This is positive in terms of the representation of diversity of political views in Parliament. Moreover, this plurality is also an actualization of the Constitution, which declares in Section 1 d that: "South Africa is one, sovereign, democratic state founded on the following values; . . . Universal adult suffrage, a national common voter's roll, regular elections and a multi-party system of democratic government, to ensure accountability, responsiveness and openness." The issue at stake is stated simply as this: disclosure of political donations will seriously undermine the ability of opposition parties to raise the finance necessary to compete in elections and ensure the sustainability of multi-party democracy.

The Heart of the Matter

Around the world, democratic countries struggle to manage the harsh reality that elections are cash-intensive and that private donations are indispensable to political parties. Many, but not all, established democracies have political donation regulations based on a threshold and disclosure. While secret donations are allowed in Sweden, all other regulatory regimes come into being through legislation passed by a sitting parliament or equivalent. The regulatory regime is the outcome of a democratic deliberative process. While not perfect and often circumvented, circumvention would be much worse if such were imposed on political parties by another branch of government such as the judiciary.

This is one of the weak points of IDASA's failed litigation mentioned above. The parties themselves have to formulate and negotiate the rules that they are to be bound by if there is to be the greatest chance of compliance.

In 2007, the ANC's Polokwane Manifesto listed political finance reform as an objective, and proposals have emerged in the public domain for further discussion rather than implementation. The idea of full public funding has been mooted, but with public finance challenges and other policy priorities this is simply not feasible. Another possibility, recently alluded to, is a fund where all private donations would be managed and then distributed to political parties, thereby eliminating the need for particular parties to raise funds. The advantage of this proposal is that it would severely curtail possible influence-peddling. The challenge would be to arrive at a fair formula for disbursement that would avoid the shortfalls of proportionality and a parliamentary presence as outline above. The discussion in South Africa on the challenge of political finance has been underway for some time and it should be strengthened through initiatives and proposals that will enable transparency and accountability without threatening the sustainability of multi-party democracy. This means that a one-dimensional disclosure regime might not be appropriate to the conditions of South Africa and that more creative, innovative, options need consideration.

This is a time-consuming process where there are no quick fixes or "silver bullet" solutions. In the UK, the issue of political finance reform has been on the agenda for many years: discussions between the three main parties broke down in 2007 and have now broken down again and

the issue has been shelved until 2015. In the United States, the Supreme Court recently struck down a key feature of the threshold and disclosure regulatory framework. It found that donors could now fund as many candidates as they wished rather than only one previously, as the limitation was an infringement of free speech. The point here is that advanced democracies require time to formulate consensual, constitutional and effective regulatory frameworks. South Africa, as a relatively new democracy, should not be expected to solve a difficult democratic challenge overnight and in isolation from other countries' experience.

In the context of South Africa's challenges and constitutional requirement for a democratic multi-party system, there are a range of mechanisms that might inform such a regulatory system that find the balance between accountability + transparency and sustainability + party effectiveness. As a first step, internal processes for raising and accounting for donations might be drafted and enforced. Simple things like no individual being permitted to approach and receive donations can be powerful in limiting abuse – the more people in the party who know who donates, the less likely are secretive and collusive relationships. Similarly, the auditing profession can advise on templates for the internal management and reporting on party finances. At the same time, instead of revealing donations, all parties might be required to disclose their audited expenditure, and a cap on expenses might also be considered. This information will provide much-needed information on party finance without undermining the potential fund-raising opportunities of opposition parties.

Elected representatives and parties need to be directly involved in the formulation of a future political finance regulatory regime if it is to be effective through the elicitation of voluntary compliance. External intervention will, in all probability, result in concerted and sophisticated practices aimed at circumventing the rules. International experience shows just how easy this is to do.

Conclusion

Amilcar Cabral famously once declared: “Claim no easy victories”. This is relevant to the debate on party political finance in South Africa. Proponents of a simple disclosure regime underestimate the complexity of the South African environment and the unintended consequences of such an initiative. Furthermore, simple regulatory proposals ignore the challenge of compliance and overlook the importance of “social capital” in contributing to such compliance. Thus, the regulatory regime, to be effective,

has to be the outcome of a deliberative process whereby those who are subject to it also design it. Without this important participatory process, any regulatory regime is doomed. In addition to this, any regulatory regime has to be designed to achieve maximum positive outcome (transparency and accountability) with minimum negative and unintended consequence (undermining a competitive multi-party system). Finding the balance with compliance is no easy task and thereby requires the wisdom of Solomon by parties and actors throughout the deliberative process. The 2014 election reinforces a trend noticeable in all earlier elections that parties already represented in Parliament benefit from the practice of proportionality in public and public company donations. Within this environment, opposition parties are at a distinct disadvantage when it comes to fundraising due to a perception that government might act vindictively towards business donors who support opposition parties. Any

proposal has to take the complexity of the South African situation into account, and instruments developed in other countries may not be appropriate for South Africa. The challenge of regulating party political finance is aptly summarized by international expert Karl-Heinz Nassmacher, who stated that:

If the US example of a political finance regime . . . has proved anything to the rest of the world, it is the commonsense insight that the flow of money is rather like the flow of water. No obstacle set up for control purposes will stop trickles from flowing and siphons from being applied. As long as human creativity is confronted by legal frameworks, loopholes will be sought, found and used. The more perfect the rules designed, the more perfect the evasion will be.

SOUTH AFRICAN YOUTH: POLITICALLY APATHETIC?

Elnari Potgieter and Barend F. Lutz, Independent Researchers on behalf of InkuluFreeHeid

Introduction

“Before the birth of democracy in the country, young people were at the forefront of the revolution, but today, many young people seem to be ignorant about politics”.¹

Before, during and after the South African national elections of 2014, concerns had been raised over the seeming lack of political

participation among young South African voters, particularly “born frees”. The sentiment had been captured in statements and headlines such as, “South Africa’s youth is often seen as a ‘lost generation’”,² “Why aren’t South Africa’s born frees voting?”,³ “The Young and the Restless: Political Apathy and the Youth”,⁴ as well as, “Born free! But dying young: A post-mortem on youth and democracy in South Africa”.⁵

Is what is being witnessed among the youth merely a matter of voting apathy rather than political

apathy? Whatever the reason, the question remains; what are the possible (de)motivators of political participation in the current youth of South Africa? This article aims to investigate whether the South African youth is politically apathetic and explores possible (de)motivators for political participation among the current youth of South Africa.

“Youth”: A Non-Standardised Term

Various definitions exist for the age bracket defining “youth”,

invariably generating challenges when conducting comparative analyses.⁶ The United Nations (UN) Secretariat defines youth/young people as those between 15 and 24 years of age, without prejudice to the various definitions of member states and other entities.⁷ The African Youth Charter defines youth/young people as “every person between the ages of 15 and 35”,⁸ while South Africa’s National Youth Commission Act of 1996 refers to all persons between the ages of 14 and 35 as youths.⁹ The latter definition had been acknowledged in South Africa’s National Youth Policy for 2008–2013.¹⁰ Prior to the national elections in 2009, the Independent Electoral Commission (IEC) of South Africa defined “youths” as persons in the 15-to-29-year-old age group.¹¹

For the purposes of this paper, the categorisation of youth by the IEC will be used. Given that the voting age for South Africans is 18 years,¹² persons between the ages of 15 and 17 will not be included in the analysis.

Forms of political participation in South Africa

Voting is possibly the most prominent and frequently performed manner of political participation; however, a wide range of activities can be regarded as methods of political participation. The definition of political participation varies, depending on the normative model of democracy held as the standard, but, at its core, the term refers to a citizen’s ability to take part in the conduct of public affairs. It defines the freedom to assemble, associate and express individual opinions, desires and beliefs in the public sphere, with the intention of influencing the structure of government, policymakers and the policies themselves.^{14 15}

In exploring the various forms of political participation in South Africa, it is practical¹⁶ to separate participation into conventional and non-conventional participation, as Sidney Verba and Norman H. Nie proposed in their seminal work on political participation, *Participation in America: Political Democracy and Social Equality*.¹⁷ Conventional participation involves or comprises the activities expected of a good citizen. These activities aim to either support or influence government. In South Africa, these civil duties include, but are not limited to:

- Voting in municipal and/or national elections.
- Volunteering for a political campaign.
- Being involved with national, provincial or municipal (local) government.
- Informal community work.
- Campaigning; making political donations and contributions.
- Belonging to, and participating in, legal activist groups (online or offline).
- Voting in potential referendums.
- Staying up-to-date with government gazettes.

Unconventional participation comprises activities that defy or challenge government and/or the dominant political culture. These activities can be legal or illegal, and are mostly characterised by a mistrust of the political system, a strong sense of political efficacy, and a high sense of group consciousness.¹⁸ These activities include, but are not limited to:

- Staging demonstrations and protests (legal and/or illegal¹⁹).
- Supporting boycotts, occupation movements and strikes.
- Signing petitions.

- Committing politically motivated violence, including assassinations, terrorism, sabotage, vandalism and cybercrime.

Both conventional and unconventional forms of political participation shape South Africa’s political system. Participation drives decision-making, ensures government responsiveness, influences and shapes public opinion, protects interests at the individual level, provides legitimacy to government, and frames political discussions.²⁰

Figures: Youth, Youth Registration and Youth Voting

South Africa has a young population. The average age of the country’s population is 24.9 years, one of the lowest in the world, and lower than most emerging economies (e.g. BRICS and the developed world). The estimated global average age is 29.1 years.²¹ South Africans younger than 35 years of age constitute approximately 77.6 per cent of the country’s population of over 52 million people,²² with 42 per cent of South Africans between the ages of 14 and 35 years of age.²³

Given that young South Africans make up a significant proportion of voters,²⁴ involving the large number of South African youth in the processes of democracy is elemental to embed democracy.²⁵ While bearing in mind that political participation extends beyond voting, the focus here will be on voting, given the essential role of elections as a democratic process.²⁶

How has the South African youth fared in terms of voter registration and voting? Following Fakir *et al.*,²⁷ we first traced the national registration and voting trends (Table 1), where after the

registration trends for youth, in particular, were captured (Table 2). Given the above-mentioned

various definitions of “youth”, as well as limits in terms of the availability of comparative data

for “youth” voter turnout, we can only identify possible trends.

Table 1: National election data: 1994–2014

Election Year Indicator	1994	1999	2004	2009	2014
Registered voters		18 172 751	20 674 926	23 181 997	25 388 082
Ballots cast	19 533 498	16 228 462	15 863 558	17 919 966	18 654 771
Voter turnout		89.30%	76.73%	77.30%	73.5%
Valid ballots	19 340 417	15 977 142	15 612 671	17 680 729	18 402 497
Spoiled ballots	193 081	251 320	15 612 671	239 237	252 274
% Spoiled	0.99%	1.55%	1.58%	1.34%	1.4%

Source: Table compiled from data sources for each election, listed by year (<http://electionresources.org.za>) and IEA national turnout statistics (<http://elections.org.za>). Data accessed: 27 May 2014.

Table 1 illustrates that voter registration has increased in numbers. However, the number of registered voters, comprising just over 25 million of the 31.4–34.4 million eligible voters²⁸ (the ex-

act number has been a matter of contention), is disappointing. Furthermore, a decrease in voting participation is evident, as the number of ballots cast declined from 19.3 million in 1994 to 18.6

million in 2014. In addition, voter turnout declined from 89.3 per cent in 1999 to 73.5 per cent in 2014.

Table 2: Nationally registered voters from 18–29 years of age

Election Year Age band	1999	2004	2009	2014
18–29	5 834 918	5 877 131	6 283 630	6 376 383
All	18 172 000	20 674 926	23 174 279	25 335 265

Source: Table compiled from IEC South African Registration Case Study (24 October 2007) and IEC registration statistics, as on 27 May 2014 at <http://elections.org.za>.

Table 3: Registered voters (18–29 years) as a percentage of the total eligible voting population

Age group	Eligible voting population ISS Aug 2013 Data	Registered population (Jun IEC data)	Percentage registered
18–19	1541875	629997	40.85
20–29	7552955.385	5740187	75.99

Source: Table compiled from ISS Policy Brief: Forecasting South African election results at <http://www.issafrica.org/> and IEC registration statistics, as on 27 May 2014 at <http://elections.org.za>

Table 2 illustrates that the number of 18-to-29-year-olds who registered to vote increased slightly from 5.8 million in 1999 to 6.3 million in 2014. However, it should be noted that, although voters in South Africa in the 18–29 age group represent about 34 per cent²⁹ of all potential voters in the country, only about 41 per cent of these eligible vot-

ers between the ages of 18 and 19 registered, while 76 per cent of eligible voters between the ages of 20 and 29 registered. At the time of publication, data on youth voter turnout for the 2014 elections had not officially been released. However, a survey by the IEC indicated that the biggest decline in intention to vote was among 18-to-19-year-olds, 20-to-

24-year-olds, 25-to-35-year-olds, as well as among eligible voters in informal settlements, residents from Limpopo, the Free State and Western Cape, and among coloured adults. The intention to vote declined by at least 10 per cent from the previous elections, five years earlier.³⁰

From data observable above, the identifiable trends are a decline

in national voter turnout, as well as a worrying low percentage of registered eligible voters, particularly young registered voters in the 18-to-19-year-old age group, starkly contrasting with the 76 per cent of 20-to-29-year-olds that registered, but did not necessarily vote.

The following section will offer possible explanations for the trends indicated above, while also embedding these findings within a broader context of political participation among the South African youth.

(De)Motivators

The question here is not only what motivates young South Africans to participate in politics, but also, what demotivates them from participating. Numerous theories and models had been advanced to find these (de)motivators, one of which is the “Civic Voluntarism Model” (CVM) by Verba, Brady and Schlozman.³¹ Although not without its imperfections, it offers guidance on possible indicators for participation.³² In looking to answer the question of who participates, the authors asked both who does not participate, and why. They subsequently offered three answers:

1. Some people cannot participate, i.e. they do not have the resources to do so. Here, factors such as education, income, employment and status have often been used in research.
2. Others do not want to participate. In this instance, factors such as political attitude and political interest play a role.
3. Some people had never been asked to participate. Here, recruitment networks and social capital come into play.³³

Using the CVM as a point of reference, we look at some of the motivators/demotivators that

may impact on the political participation trends of the South African youth.

“Bread-and-Butter” Constraints

Lauren Tracey, for the Institute for Security Studies (ISS), writes that some of South Africa’s youth have decided not to participate in elections, given that the realities of poverty, inequality and unemployment are held against the promises of a bright future,³⁴ which is thus found wanting. What are the economic realities of the South African youth?

The Global Youth Wellbeing Index (compiled by the International Youth Foundation and The Center for Strategic and International Studies in Washington) found that South Africa ranks poorly as a nation looking after the wellbeing of its young people, particularly in terms of economic opportunities.³⁵ The Index looks at 40 indicators across six domains, which include Information and Communications Technology, Safety and Security, Health, Education, Citizens’ Participation, and Economic Opportunity. The index was compiled for 30 different countries. South Africa ranked 23rd overall and worst in terms of economic opportunities, with youth unemployment and the number of youth not in training, employment or education playing a large role in the latter ranking.³⁶

According to the World Economic Forum (WEF) Global Risks 2014 Report, South Africa has the third highest unemployment rate in the world for people between the ages of 15 and 25. It stated that more than 50 per cent of South Africans from 15 to 24 years of age are unemployed.³⁷ Furthermore, South Africa’s Gini coefficient (at around 0.7) is indicative of the limited progress that has been made in terms of income equality in the country since the end of apartheid.³⁸

Thus, not only do young people in South Africa grapple with unemployment and little economic opportunity, they do so within a highly unequal society.

But what do these economic realities have to do with low voter turnout? According to the above-mentioned WEF Global Risk 2014 Report, “[M]uch of the younger generation lacks trust in institutions and leaders ...” and “... the generation coming of age in 2010 faces high unemployment and precarious job situations, hampering their efforts to build a future and raising the risk of social unrest ...”³⁹ Disillusionment among the youth of South Africa with the formal institutions of democracy is probable, given that these institutions and their leaders have yet to cater for the needs of young South Africans, particularly in terms of employment. In the words of a young South African, Asanda Mkhwane (19), “I realised, what am I going to vote for? I don’t believe in our government leaders and their empty promises.”⁴⁰

Thus, a combination of a lack of resources necessary to participate (given the high unemployment rates and poverty), as well as disillusionment with political leadership to grapple with these problems, may influence the political participation choices of young South Africans.

Education concerns

A more comprehensive definition of personal resources would factor in education, given that it enables citizens to understand and process information, foster self-confidence and the sense that individuals have the capacity to control their own circumstances, while also empowering them to pursue certain goals and take part in deliberative processes to achieve certain objectives.⁴¹ Some scholars assert that education does not directly impact on

political participation, but rather on political interest and knowledge,⁴² as well as on employment opportunities and thus the available resources to participate in political activities.⁴³ So how is South Africa faring in terms of education?

The South African government spends abundantly on education, with 5 per cent of the country's GDP made available for education. A diagnostic overview by the National Planning Commission (NPC) indicated that the overall gross enrolment ratio in the country is 92 per cent. However, not all learners manage to stay enrolled and complete schooling. Furthermore, despite this financial investment in education, the quality of education provided by state schools in the country is poor.⁴⁴

The apartheid regime brought about an unequal education system that has been difficult to rectify.⁴⁵ The South African government has struggled to maintain quality education while improving access to education.⁴⁶ Furthermore, a research report by Servaas van den Berg et al., "Low Quality Education as a Poverty Trap", states that the current education system in general delivers outcomes which reinforce patterns of poverty and privilege, instead of addressing or changing them.⁴⁷ Thus, low-quality education is possibly exacerbating the above-mentioned personal resource constraints, which hinder participation in political activities.

In a study on the predictors of political participation in new democracies, it was indicated that it is important to consider not only the level of education of voters, but also the content of what is learned.⁴⁸ Considering the low registration rate of 18-to-19-year-old citizens, the need for greater education in preparing first-time voters for their roles in democracies

is crucial to improve registration and voter turnout.⁴⁹ As a 22-year-old student from the Eastern Cape expressed in an interview with ISS Africa, "I've decided not to vote because I feel I do not know enough to make an informed decision".⁵⁰

However, personal resource constraints limiting some of the youth do not render all South African youths apathetic or uninterested in politics. In a democracy, active citizenship involves exercising democratic rights in holding public representatives responsible.⁵¹

Group Membership

Group memberships and networks can be relevant enhancers of political participation, particularly for citizens with fewer resources. Memberships of religious, cultural, regional, social civic, issue-related or work-related organisations (among others), and even family life, may bring about social communication, which may, in turn, bring about opportunities for collective action. Furthermore, association groups may attract those citizens who linger on the margins of political life into political activities.

Participation in association groups may further develop skills of members, enabling them to take part in political activities. These groups may even manifest as reference points for citizens to discern whether they deem political activities to be worthwhile.⁵²

Youth participation in elections might be worrisome; however, service delivery / community protests, which will be discussed in more detail below, debunk the myth of political apathy among the South African youth. Not only has the mounting frustration with socio-economic realities led to the mushrooming of street protests countrywide,⁵³ but young South Africans are often

"involved in, if not instigators of, protest activity", as was discovered through a survey by the Institution for Justice and Reconciliation (IJR).⁵⁴

Concurrently, lower levels of youth membership in labour unions (which had previously been primary sites for political socialisation) and low rates of participation in student council elections at tertiary institutions were recorded.⁵⁵ This may indicate the inability of agents of social and political socialisation to include the youth of South Africa in particularly formal political processes, such as elections.⁵⁶

However, young South Africans continue to be politically active, particularly in groups. Interest in elections among the youth may be moderate, but other forms of political activities and/or political expression (such as volunteering, cultural channels including theatre and music, direct action and protest, as well as through social media platforms) remain pronounced and appear to be gaining traction among young South Africans.⁵⁷

Dissatisfaction and disillusionment with the current South African political system

We would argue that the above-mentioned factors are among the issues that could lead to dissatisfaction and disillusionment with the current South African political system. This dissatisfaction and disillusionment has the potential to impact on overall and youth political participation, as it can lead to citizens not wanting to participate politically. This relates to the second aspect of the CVM⁵⁸ discussed above, and in the run-up to the 2014 elections, and was the topic of many heated debates.

There are multiple factors that come into play in determining why certain people do not want

to participate in political activities. Verba *et al.*⁵⁹ use the idea of “engagement” to highlight some of the motivations behind political participation. Engagement in this sense represents a variety of psychological predispositions, such as political interest, political trust, identification with a political party, and commitment to specific policies and parties. If a citizen is “engaged”, he or she is normally motivated to participate. However, if this engagement is broken, for example by the belief that voting or political activities are of no influence, the motivation to participate is also diminished. This seems to be the case among many of the youth voters in South Africa.

There are factors that could lead to the broken engagement of certain citizens, including the youth. These factors broadly fall under the term “voter apathy”. Apathetic citizens are not only those who do not care about politics, but are also those who have more profound concerns flowing from feelings of indifference, insignificance and inconsequence.

Beyond the factors of education, bread-and-butter constraints and group membership discussed above, voter apathy is arguably the most prominent challenge to political participation in South Africa. In the next section, we will examine two key factors influencing voter apathy in the country.

Perceptions of structural flaws

Firstly, a large section of the South African society holds perceptions of structural flaws pertaining to the government and other political institutions in the country. The 2013 South Africa Survey⁶⁰ by the SA Institute of Race Relations (IRR) indicated that only 54 per cent of South Africans believe that the government performed well in 2012.

This perception of dysfunction is further described in the survey. It found that only 55 per cent of South Africans have confidence in Parliament, 52 per cent in provincial government, and 49 per cent in local government. The IRR survey indicated that 35 per cent of South Africans are generally not interested in politics and elections. Furthermore, focusing specifically on the youth, a July 2013 opinion poll⁶¹ by the market research company, Pondering Panda, found that almost a quarter of South African youths did not intend to vote in the 2014 national and provincial elections. The 18-to-34-year-olds polled⁶² had two key reasons for not voting. These were the beliefs that, “things would stay the same no matter who won the election” (44 per cent) and that, “there was no party worth voting for” (31 per cent).

Although the accuracy and representativeness of these results are open to debate,⁶³ it is hard to argue that these results do not at least hint at a serious underlying dissatisfaction and disillusionment within citizens’ perceptions of government and government institutions in South Africa.

The Institute of Justice and Reconciliation’s 2013 South African Reconciliation Barometer also looked at these issues in its section on political culture.⁶⁴ This survey found that, of all the largest public institutions in the country, South Africans had the lowest confidence in political parties (46.2 per cent), the police (47.9 per cent) and local government (48.6 per cent).

Furthermore, since 2012, confidence in all the measured government institutions has been declining, as can be seen in the graph below. The survey also examined the perceptions of political inclusion, voice and participation, and showed that citizens’ sense of agency to influence institu-

tions is also low. As many as 62.3 per cent of the respondents either agreed or strongly agreed with the sentence, “Leaders are not concerned with people like me”. Similarly, 51.6 per cent agreed or strongly agreed with, “[There is] no way to make disinterested public officials listen” and 48.3 per cent with “[I] trust leaders to do what is right”.

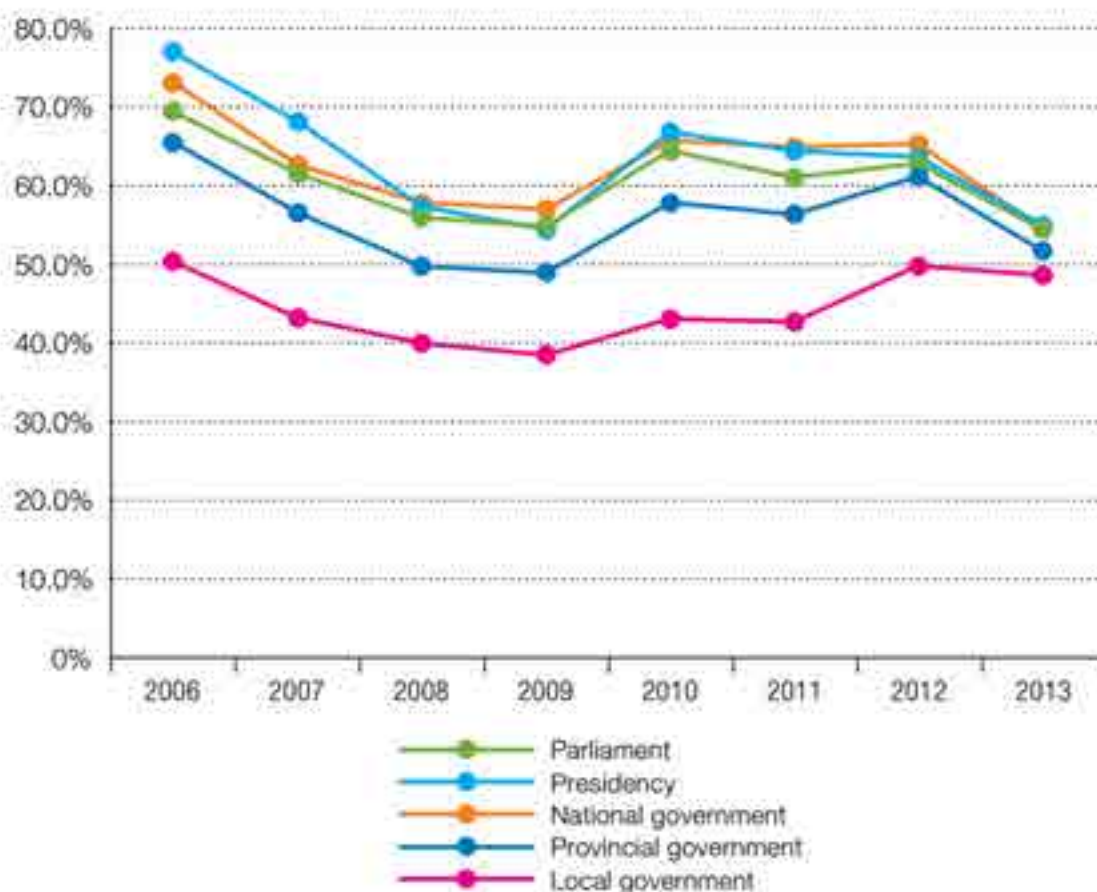


Figure 1: Confidence in governance institutions, 2006-2013

Source: Figure from SA Reconciliation Barometer Survey: 2013 Report at <http://reconciliationbarometer.org>.

Another issue highlighting the perceptions of structural flaws is the seemingly large support for not voting or for actively spoiling a ballot. Focusing on the ballot spoilers, this issue was perfectly encapsulated by the Sidikiwe Vukani (Vote No) campaign led by the former intelligence minister, Ronnie Kasrils. Kasrils called on voters to vote for small parties or to spoil their ballots by writing 'NO' across them. He stated⁶⁵ that the aim of this tactic was to, "scare large parties, especially the governing African National Congress (ANC), to make them change their ways." According to Kasrils, the broad aim of the campaign was to "stop the ANC getting a 66 percent majority". He called on leaders to address

the serious concerns facing the country, namely corruption, nepotism, inequality, police brutality and disregard for the environment.

An online survey by Business Day Live⁶⁶ further illustrated this issue: 5.67 per cent of respondents said that they would consider spoiling their vote in protest, and 6.64 per cent of respondents said that they were not going to vote at all.

This relatively high support for not voting was also seen in the 2014 elections. Although it is concerning that only 73.5 per cent of the registered voting population voted, a bigger issue is perhaps that, as discussed in the results section of this paper, it is

estimated that only 59 per cent of the eligible voting population in South Africa actually voted. The ANC has been elected by about 11.437 million voters, which is only 36.4 per cent of the voting public. However, it should be noted that there is no way of indicating what proportion of non-voters did not vote out of protest, or did not vote for other reasons, such as logistical problems.

Ultimately, this can be regarded as a warning sign for the health of the South African democracy.

Spoiling a ballot or not voting as an act of protest falls outside the ambit of traditional voter apathy. These individuals have legitimate concerns which they choose

to express through these actions: a spoiled ballot or a person not showing up to vote could be more than just a clerical or logistical error, but could be indicative of an underlying societal issue.

It should be noted that certain countries have officially tried to address this issue in their ballots. India,⁶⁷ for example, has implemented a 'None of the Above' (NOTA) ballot option in recent years. The idea behind this is to tally up votes from those who are unhappy with the political system and the parties represented within it.

Potential problems with the representative democratic system

Secondly, there is growing scholarship which indicates that, globally, people might be becoming disenfranchised with the level of participation and direct influence that they believe they have on the political system. This concern has also been raised in South Africa and other developing countries by authors such as van Beek⁶⁸, Kurlantzick⁶⁹ and Mair.⁷⁰

At the core of a representative democracy, such as South Africa, are popularly elected leaders, who then make key decisions for the population. If the population loses the belief that these leaders can represent them effectively, this can be detrimental to the democratic system as a whole.

South Africa lacks a more direct approach to democracy, such as a constituency-based system, and there is a perceived lack of accountability that has a negative impact, not only on aspects such as service delivery, but also on perceptions about the functioning of the system generally. The ISS and the 2003 Van Zyl Slabbert commission of inquiry recommend the implementation of a mixed-member proportional system to enhance representation. Another option would be to move

even further away from representative democracy, towards a semi-direct democracy wherein citizens would have more power.

Forecast of potential outcomes and consequences of the youth apathy

Given the apparent growing level of voter apathy in the country, and the fact that this apathy is potentially prominent among the youth, there are a number of forecasts that can be made for South Africa in the near term.

Firstly, one should address the practical issues, such as public disorder, civil unrest and crime concerns. We have stated that political participation can take many forms, and one of those forms prevalent in South Africa is the more unconventional participation in civil unrest. According to crime statistics released by the South African Police Service (SAPS) in September 2013, there were 12 399 "crowd-related incidents" reported in the country between April 2013 and March 2013.^{71 72} These incidents included demonstrations, protest marches and rallies, none of which were sanctioned by municipal authorities. The majority (10 517 cases) were peaceful, but violence was reported in 1 882 of these incidents. Furthermore, these figures indicate an increase of approximately 85 per cent in recorded cases of violent public unrest, when comparing the figures from 2008/2009 to those of 2012/2013.

This growth in violent civil unrest is illustrated in Figure 3 below. As stated above, youths are often the primary actors in these protests. The growth in violent unrest should be seen as an indicator of deeper underlying issues and that these issues are partly driven by the above-mentioned factors.

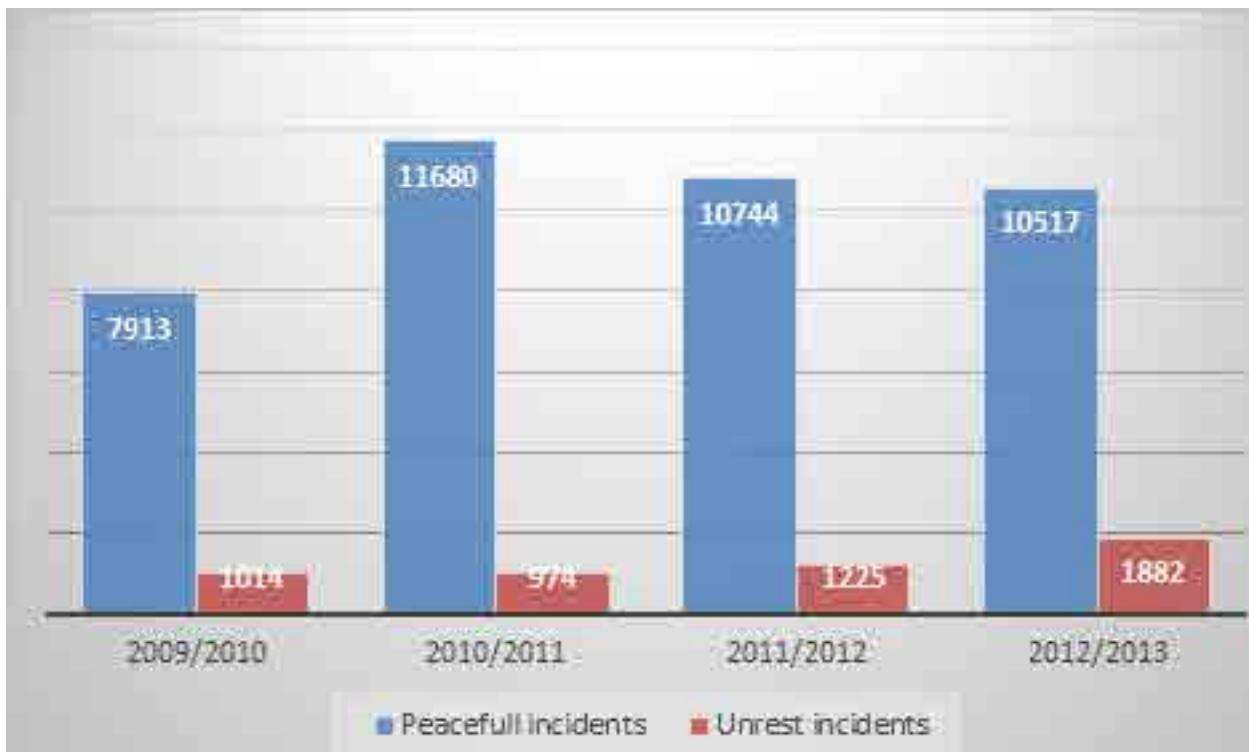


Figure 2: Public order incidents in South Africa, 2010-2013

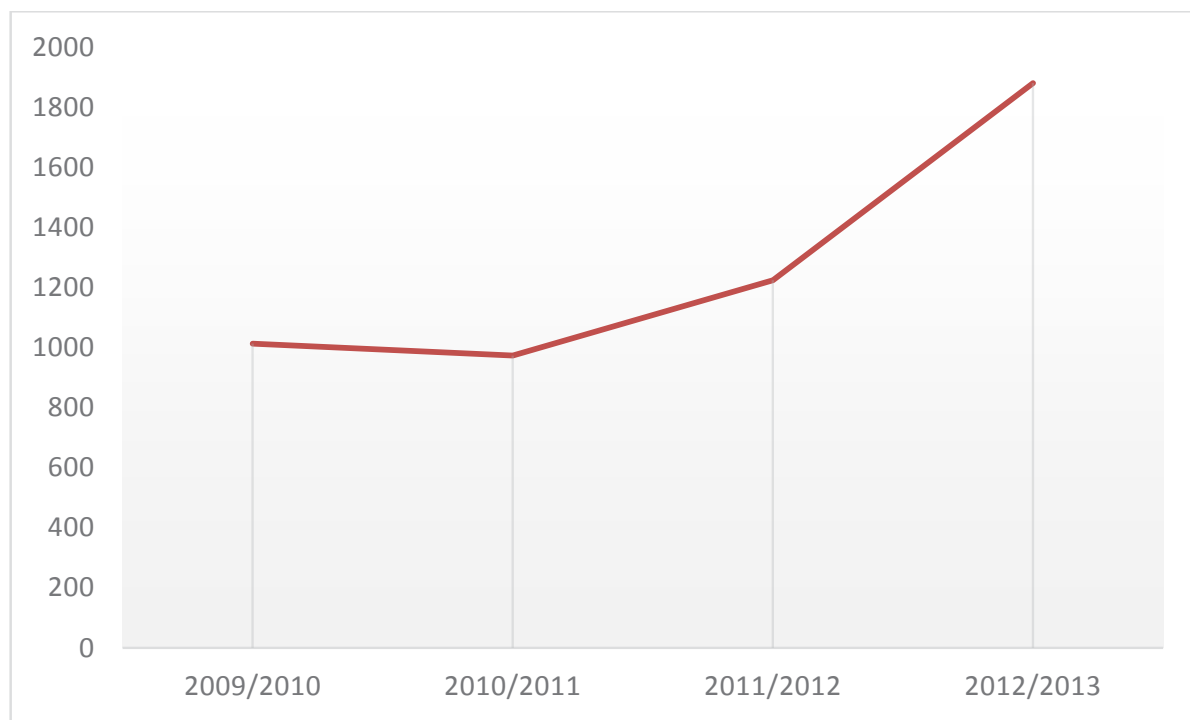


Figure 3: Unrest incidents in South Africa, 2010-2013

Source: Figure 2 and 3 compiled from data from the SAPS's Analysis of the national crime statistics 2012/13 report at http://www.saps.gov.za/resource_centre/publications/statistics/crimestats/2013/downloads/crime_stats_analysis.pdf.

In the near term, incidents of violent civil unrest are expected to continue countrywide. Furthermore, these incidents have a detrimental effect on economic growth and prosperity in the country, which will only serve to further exacerbate the socio-economic concerns.

A potential longer-term negative effect that youth apathy could have is to the validity of democracy in the country. Firstly, lower election participation levels among the youth directly affect the embeddedness of democracy in the country. A section of society is effectively not being represented. Secondly, as discussed above, there are indications that South Africans, specifically the youth, have issues with the current functioning of our representative democracy. If these concerns are not addressed, they could also cut away at the basic support for the democratic process as a whole.

Identified areas to enhance and embrace youth political participation to embed democracy in South Africa

We have identified a few possibilities to enhance the political participation of young South Africans. Firstly, in order to enhance participation in informal ways, it is necessary to empower the youth to participate constructively. “Bread-and-butter” constraints were identified as a limitation to participation, for their impact on limited personal resources to participate in formal election forms, as well as their impact on disillusionment with government and democratic processes. Effectively addressing socio-economic constraints (such as unemployment and health care) might impact on youth participation in formal political activities.

Furthermore, a lack of voter and/or political education (particular-

ly among first-time voters) was identified as a possible demotivator to participation. Although many efforts have been made to educate voters, the emphasis should be on furthering political interest and knowledge, and not merely information-sharing. Efforts to educate young voters should also extend to include more than just formalised spaces, and should creatively reach young South Africans through avenues that are relevant to them. Possibilities include utilising spaces in which the youth are already expressing themselves, such as volunteer groups, issue-based groups, social media networks and even service delivery protests.

Considering the various avenues through which young South Africans express and pursue their political interests will enhance democracy and offer the opportunity for officials to narrow the gap between young citizens, policymakers and politicians.

In order to address the issue of disillusionment – of young South Africans increasingly becoming disenchanted with the promises made by officials – we refer to the Reconciliation Barometer⁷³ in stating that political parties (as well as governmental officials) should desist from committing to outputs that are unlikely to be achieved. Furthermore, when looking specifically at elections, there are a number of options that could be considered to potentially enhance participation and reduce voter apathy, specifically among the youth. As discussed above, one option would be to combine mandatory voting (with a NOTA option) with a mixed-member proportional system or a semi-direct democracy.

Conclusion

In this paper, we have investigated whether the South African youth is politically apathetic, and

explored possible motivators and demotivators for political participation among the current youth of South Africa. Furthermore, we have forecasted potential outcomes for continued youth political apathy, and identified possible strategic areas to address in order to enhance youth participation. We argue that young South Africans’ participation in formal political activities might be worrisome, but this does not render the youth politically apathetic. Twenty years into democracy, it might be wise to explore and consider various avenues of active citizenship to reduce potential unrest and ensure the consolidation of democracy for the future.

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SA ELECTIONS 2014: PERFORMANCE OF NEW PARTIES

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Introduction

In the months running up to the 2014 South African elections there was much speculation about whether this poll would bring with it a grand realignment in South African politics to counter the dominance of the governing ANC. As Aubrey Matshiqi highlighted, such realignment would also entail a challenge to the dominance the Democratic Alliance (DA) continues to hold over opposition politics.⁷⁵ The entrance of the Economic Freedom Fighters (EFF) and Agang into the political landscape was touted as a development that would bring this much-anticipated shift. As happened with the Congress of the People (COPE) before them, these parties were expected to have a far greater impact on electoral politics than is realistic for new parties of their size.

Despite these predictions, these elections have not led to a major realignment of South African politics. The ANC won the election with 62.15 per cent, receiving an overwhelming mandate to govern the country for the next five years. The DA consolidated its position as the official opposition with 22 per cent of the vote, a five per cent increase from 2009. It made in-roads in Gauteng's metropolitan municipalities, which potentially bodes well for the party's ambitions to govern the City of Johannesburg or Tshwane municipality in coalition after the 2016 local government elections. Many observers are keeping a close eye on developments in the National Union of Mineworkers of South Africa

(NUMSA) in anticipation of the formation of a worker's party to the left of the ANC that seems to be the best chance of a recalibration of party politics.

Nevertheless an examination of the impact of new political parties in the 2014 elections on the political landscape in general is a valuable exercise to understand the context within which any new party bringing promise of a political shift would have to operate. This paper seeks to do just this by focusing on the effect of the EFF in particular. It argues that the EFF has had a marked impact on the South African political landscape that transcends mere rhetoric and theatrics. After presenting an overview of the impact of new entrants to electoral politics in general, the paper appraises the campaign of the EFF and the effect of youth participation on the party's electoral showing. It then compares the EFF's performance to that of new entrants in previous elections. It closes with some remarks on the prospects for the party's longevity.

Overview of the impact of new entrants on the political landscape

The EFF, Agang and the National Freedom Party (NFP) were the notable new parties in the general election. The NFP is technically not a new entrant in the political landscape, having contested the 2011 local government elections. However, this was its first general election and its first opportunity to contest beyond its home province of KwaZulu-Natal. The party received 1.5 per cent of the vote nationally and six seats in Parliament. It also received 7.31 per cent of the vote in KZN and seven seats in the

provincial legislature. The NFP's greatest impact is in its erosion of the support base of the Inkatha Freedom Party (IFP) from which it broke away in 2011. The IFP is in steady decline, and saw its support fall from 4.55 per cent in 2009 to 2.4 per cent in these elections. In KZN it lost half of its support, falling from 20.52 per cent of the vote in 2009 to 10.27 per cent in 2014. This loss of support can in part be attributed to the NFP's existence as an alternative for those voters who are disgruntled with the stagnation of the IFP, but do not want to shift political allegiance to the ANC.

In retrospect it seems absurd that Agang was expected by some to be a game changer in South African politics. The party revealed itself as an 'also-ran' early this year with its brief merger with the DA and subsequent unravelling as a contender in these elections. It is now so weakened by the ego of its founder Mamphela Ramphele and its internal squabbles that it is unlikely to continue as an independent political formation for much longer. Recent reports of the party's intentions to suspend its founder Mamphela Ramphele seem to support this.⁷⁶ A notable impact of the Agang-DA marriage was to dent the reputation of DA leader Helen Zille. The bungled merger revealed the inconsistency in her stated commitment to non-racial politics and raised questions about her judgement. This didn't seem to hurt the DA's electoral performance: the party won 22.3 per cent of the national vote. However, the long-term effects of the short-lived marriage may emerge in future leadership battles in the party.

The EFF as the winners

The EFF has emerged as the real winner among the new entrants in this year's elections. It managed to attain 6.35 per cent of the vote, giving it 25 seats in parliament, and it is the official opposition in Limpopo and North West. When it burst onto the scene the EFF captured the public imagination and visually transformed the political landscape. Because of the public persona of its leader, Julius Malema, and the high profiles of other party leaders like Andile Mngxitama, the EFF dominated the media and public discourse far more than would normally be expected for a party that has been in existence for less than a year. The red beret became ubiquitous at political meetings, township funerals and urban streets across South Africa. While much is made of the EFF's support among disenfranchised, economically marginalised black (male) youth, the party's message resonated with a sizable portion of the (mostly) young black middle class who live in closest proximity to white South Africans and experience racism in their workplaces and leisure and living spaces daily. This is the constituency that witnesses the degree to which economic transformation has not been achieved from the vantage point of corporate boardrooms, newsrooms and university lecture theatres. The EFF recognised this, and made a commitment in its election manifesto to improve the working conditions of black professionals like doctors, academics, lawyers and engineers, who face racial discrimination in the workplace.

Yet despite this triumph of form and imagery, the substance of the EFF's politics remained unclear for much of the election campaign. Steven Friedman dismissed the party as being 'a case of media hype over substance', arguing that the party's theatrics

were being confused for actual influence over the electorate.⁷⁷ While there is merit to Friedman's caution about the tendency of the commentariat to be attracted to political drama rather than attempting to understand political realities, the EFF's campaign and performance in Parliament in the month since the election indicates that imagery can be and has been a powerful force in challenging the substance of a political dispensation. The EFF has been able to adapt old struggle language and visual cues to the present context with great effect. After the election EFF MPs wore bright red overalls and domestic workers' uniforms to the opening of Parliament, arguing that they were 'sending a message to say that the Parliament for the people is not a Parliament for the elite'.⁷⁸ Regardless of how disparaging they have been of the new party's appetite for spectacle, both the ANC and DA introduced their own berets in response to the ubiquity of the EFF red beret.⁷⁹ The EFF's dress in parliament was not merely a provocative sartorial choice but a challenge to the colonial-era parliamentary norms and customs whose continued use, it can be argued, is a result of the negotiated end to apartheid. This notion of challenging the foundations of the 'elite pact' that resulted in the present democratic order was expounded upon by Malema in response to the SONA address. Malema was kicked out of the house for refusing to retract a remark made in his response to the SONA accusing the ANC of murdering Marikana miners. The rest of his party's MPs walked out with him in support, whistling and hurling comments as they exited. While this could all be dismissed as a series of publicity stunts they have had the effect of focusing public attention on Parliament and establishing the EFF as vocal opponents to the status quo. In addition, the content of

Malema's speech – denouncing white supremacy, and emphasising the similarities between the ANC and the DA – demonstrated that the party intends to be relentless in questioning the structure of South Africa's political economy.

In spite of this, it is already clear that maintaining a consistently revolutionary stance will not be easy for the new parliamentarians. After EFF MPs refused to use parliament's medical scheme, arguing that all government officials should use public services, it was revealed that Malema's son would continue attending a private school instead of moving to a public one. He was defended by the party's national spokesperson Mbuyiseni Ndlozi, who argued that the party remained committed to its policy, and he further clarified that, "our commitment to EFF public representatives using public services is subject to EFF being elected into government".⁸⁰ Nevertheless, Ndlozi claimed that the EFF would table a motion to institute legislation requiring all public representatives to use public services. Clearly, the party's stated intention and the action of its leadership show the challenges of staying true to their radical message. While their rhetoric may remain revolutionary, the trappings of power and comfort will be difficult to resist. The extent to which EFF can negotiate between these two poles will have a significant role in deciding the future of the party. Julius Malema's reaching an agreement with the South African Revenue Service (SARS) to settle his tax debt of R16 million and his apologising for accusing the taxman of acting on the instructions of the ANC is another example of the limitations of radical rhetoric and the ultimate necessity of playing by the rules of the system in order to have any chance of acquiring real political power

within it.

Moving forward: a delicate balance between rules and revolution?

The EFF's greatest challenge will be in how it navigates the dull everyday work of parliament away from the spotlight of the National Assembly Chamber. The three functions of the South African parliament are oversight over the executive, representing the views of South Africans and making and passing laws. While all four democratic parliaments have performed the first two functions with varying levels of efficacy, they have all been proficient at the third. The process of debating and amending laws introduced by the executive is a key responsibility of parliamentary committees. Various pieces of South African legislation have been fundamentally transformed through the committee process, often for the better, with parliament acting to counter the whims of a sometimes overzealous executive. Prominent examples from the fourth parliament include the Protection of Personal Information Bill and the Protection of State Information Bill, which emerged from parliament in a far better state than they did when they were introduced. The EFF's ability to develop research capacity, to work with knowledgeable interested parties and to adhere to the discipline of committee structures will be critical to determining their success as a parliamentary opposition.

Appraising the EFF's electoral campaign

The EFF's election campaign had an impact both in terms of using innovative tools to communicate the party's message and also because it revealed the party's view of itself and its role in the political landscape.

The EFF was formed in July 2013 after its leader Julius Malema was expelled from the ANC in 2012. While it started as a breakaway ANCYL faction, it merged with like-minded political formations, including the black consciousness organisation the September National Imbizo (SNI) and the African People's Convention (APC). The EFF launched with limited financial resources and sought to raise funds through membership fees, sales of merchandise (like the red beret) and donations. A result of being under-resourced was the party's adoption of what could be called 'guerrilla' campaign tactics like participating in community 'service delivery' protests. The party was able to mobilise young people, attracting large numbers to its rallies in townships across South Africa. An Ipsos survey from November 2013 revealed that EFF supporters were younger than average, with 44% falling between the ages of 18 and 24, and 29% between the ages of 25 and 35.⁸¹ Those who claimed to support the party were predominantly male (77%), black (99%) and unemployed (40%).

One of the major criticisms of the EFF has been its apparent ideological confusion. The party manifesto describes the party as a "socialist, Marxist-Leninist, Fanonian" organisation that aims to redistribute South Africa's wealth in order to address poverty, unemployment and inequality. This despite the fact that the purely class-based analysis of Marx sits uncomfortably with the racial nationalism EFF expounds. The party's rhetoric is part radically socialist, part Black Nationalist and part anti-colonial, tailored in response to any popular grievance or desire. This seeming confusion is explained by a closer look at the various groups that make up the party. It includes the African nationalist foundations of the ANCYL elements, the

black consciousness and 'blacks first' socialism of the SNI and the influence of other black nationalist-aligned groups. As time has gone on and the party has had to state its positions more clearly on more issues, it has emerged very clearly as a black-nationalist party whose allegiance to socialism is to advance the interests of black South Africans. However, it remains unclear where the EFF lies in the typology of political parties. Is it a mass-based, patron-based or electoralist party? Or is it something in between?⁸²

The EFF's nascent ideological identity as well as a distinctive rhetorical and symbolic position enabled it to run an effective campaign. The EFF has effectively used both traditional and non-traditional modes of campaigning for this election. It put up election posters featuring the leader Julius Malema, did door-to-door campaigns, held big rallies and took advantage of the free airtime offered by the SABC to create a TV ad that was banned by the broadcaster for inciting violence because it called for the physical destruction of e-toll gantries. The party used the ban itself as a campaign tool by marching to the offices of the SABC to protest the decision. Julius Malema and other leaders accused the SABC as acting as a mouthpiece of the ANC instead of a public broadcaster and emphasised how the EFF was being victimised by an increasingly Orwellian ANC.

The use of protests is an example of the EFF's atypical campaigning, most prominently taking up the causes of communities engaged in service delivery protests against the ANC. For example, in February, Malema addressed residents of Moretele in the North West province after police had shot at protesters. The EFF was also involved in the protests at Bekkersdal in Gauteng who were protesting for housing, street

lights and sanitation. According to media reports about 300 Bekkersdal residents joined the EFF march to the SABC.

Like other parties, the EFF used social media platforms to spread its message. Julius Malema participated in various interviews on Twitter and Facebook, and the party had an active profile on both platforms. However, the most social media campaigning for the party was done by high-profile leaders and supporters. Andile Mngxitama and Fana Mokoena were two in particular who publicised the party's activities and defended its position on Twitter.⁸³

The EFF used rallies to good effect. Its election campaign launch at Mehlaeng Stadium in Tembisa attracted, according to some estimates, 50 000 supporters. The party held several big rallies across the country. There were reports of its activities being sabotaged, with municipalities cancelling bookings for public venues and in an extreme case campaign materials being torched before an event in Thokoza. As in the case of the SABC ban, the EFF used these incidents to build its campaign narrative of itself as an underdog whose rise posed a threat to the ANC's dominance and that was being undermined by an authoritarian regime.

Now that the election dust has settled, the hazards of using community protests as an election tool may be revealing themselves. The EFF in Mamelodi has been accused by officials from the United Nations High Commission for Refugees (UNHCR) of being behind attacks against Somali shop-owners in the township, mobilising youth to intimidate the foreigners and destabilise the township. While these allegations have been denied by the party, they point to the consequences destructive means of election campaigning can have.⁸⁴

Youth voter registration and turnout, and its impact on the EFF's performance

Given that 2014 was the first election in which those born after 1994 were eligible to vote, there was much anticipation of the effect that the 'born-frees' would have on the results. Would they participate in the election and influence the political landscape or would they choose to opt out of the electoral process? These questions were especially relevant in attempts to predict the performance of the EFF, which has a predominantly young support base. Despite the party's apparent ability to mobilise young people to participate in rallies and protests, it was unclear whether it could get them to register and vote. Expectations of high youth participation are a long-standing part of the political discourse. In the 2009, as in 2004 before it, the IEC and political analysts stated their anticipation that young people would participate in unprecedented numbers in the respective elections.

Defining the 'youth' in South Africa is challenging because of the inconsistent definitions applied to this demographic. The National Youth Policy 2008-2013 defines youth as those aged between 14 and 35. The IEC has shifted its definition of youth from 2009 to 2014, from those between the ages of 18 and 35 to the 18 to 30 cohort. In 2014 the Commission launched a voter registration campaign featuring young celebrities to encourage South Africans under 30 to register and vote. Statistics SA defines youth as falling between the ages of 15 and 34. According to the mid-year population estimate there are approximately 15 million (14,968,990) South Africans between the ages of 15 and 34. That is 28 per cent of the population.⁸⁵ The inconsistency of definitions of youth and data

from different elections makes it difficult to make accurate long-term comparisons. Nevertheless it is possible to see some patterns.

Statistics available from 2004, 2009 and 2014 show that there was an incremental increase in voter registration among those aged 18 to 29 years old. The IEC's registration figures show that 6.32 million youth registered in 2014 compared to 6.28 million in 2009 and 5.8 million in 2004. Only 669 421 (or a third of voters born after 1994) registered to vote, making up a mere 2.64 per cent of registered voters.⁸⁶ According to the IEC 4.68 million of those who voted in the 2014 election were under the age of 30. This accounts for only 25 per cent of the total turnout. Approximately 75 per cent of youth under 30 who registered came out to vote, which compares favourably to percentage turnout as a whole, which was 73.48 per cent. These figures indicate that youth participation and turnout were generally proportionate with the size of the demographic in the population as a whole and relative to total voter turnout.

Given the lack of exit poll data and voter turnout figures disaggregated by age at voting district level, it is not possible to say whether the EFF was able to mobilise its young supporters and whether this had any impact on its electoral performance.

We can conclude that expectations for young people to come out to vote in large numbers and to sway the election results were unfounded. The 'born-frees' in particular proved to be uninterested in participating in elections, which makes them no different from their peers in other parts of the world. As Fakir et al. have argued, South African youth have always been politically active albeit through social protests and other spaces outside of formal political structures.⁸⁷ The EFF

took its campaigning into these spaces, but the extent to which this paid off in electoral dividends is unclear. It is beyond the scope of this paper to conjecture on why there was low youth voter turnout. However, there is a need for greater investigation of this issue to enable political parties and the IEC to develop targeted strategies to encourage youth participation in future elections.

Concluding remarks: comparing the EFF to new entrants in previous elections

It becomes clear just how well the EFF performed when it is compared to the major new entrant in the 2009 elections, Cope. Both parties broke away from the ANC. Cope was formed by the faction of the ANC that lost power of the party at the Polokwane conference in 2007 and was disgruntled by the recalling of former president Thabo Mbeki in 2008. Both Cope and the EFF claim to represent the real ANC and to adhere to the principles espoused in the Freedom Charter. Cope's leaders did this by choosing to name the party after the event at which the Charter was adopted. The EFF's leaders have done so by promising to implement all the demands of the Freedom Charter, including the nationalisation of mines. Both parties benefited from greater media coverage than would be expected for new parties because of their controversial beginnings, and, in the case of EFF, the high media profile of its leader. However, there are some significant differences between the two parties. Cope was led by politicians who had held senior positions in government, among them Mosiuoa Lekota, Mbhazima Shilowa and Mluleki George. It was also supported by wealthy business-people from its initiation, which gave it access to substantial material resources. This enabled it to host its founding convention

at the Sandton Convention Centre and put together an election campaign five months before the election. It had a ready constituency in the form of the losing faction at Polokwane and the mainly black middle class that was alarmed by Jacob Zuma's taking control of the ANC.

In contrast, the EFF launched with limited financial resources, raising funds through membership fees, sales of merchandise and donations. While the EFF had an existing constituency in the form of Julius Malema supporters, it had to mobilise to form a large enough support base to compete in the elections. The point, then, is that Cope and EFF entered the political landscape from different positions. Cope had an advantage in terms of resources, goodwill and constituency. The EFF has managed to perform extremely well with a fraction of the resources of Cope, and appears to have built an organisational structure that bodes well for its continuation as a serious player in the political landscape.

Cope was undoubtedly the biggest casualty of the 2014 elections, even more than Agang. Due to its internal divisions and leadership battles, the party squandered a considerable amount of goodwill in the years following the 2009 election. The party haemorrhaged over one million votes from the previous election, and went from receiving 7.24 per cent of the vote in 2009 to cobbling together a meagre 0.67 per cent in 2014. This dismal performance represents a resounding regression for a party which had aspirations of building on its encouraging debut performance.

The experience of Cope holds lessons for the EFF if the new party wants to achieve longevity. The primary one is that electoral performance is not a substitute for building an organisation

from the grassroots up. One of the great strengths of the ANC is its sophisticated party machinery and internal democratic processes (however flawed) that have proven a source of resilience amidst all the political storms the party has faced. The EFF has yet to hold an elective conference, and it is unclear how much the party is investing in grassroots structures. It is this, more than parliamentary spectacle that will determine whether the party grows in 2016 and 2019, or whether it is reduced to another footnote in the story of ANC dominance.

END NOTES

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RECOMMENDATIONS FOR LEGAL, PROCEDURAL OR ADMINISTRATIVE ELECTORAL REFORM BASED ON THE EXPERIENCES OF THE GENERAL ELECTION IN 2014

Most election observers, the media and election analysts were of the opinion that the integrity of the election was maintained at a sufficiently credible level. The following are however a number of matters of either a legislative nature, or the IEC's logistical responsibility or general electoral matters which could be considered for amendment:

1. Campaign funding and use of other resources:

South African parties have had vastly different resources available for funding their elections campaigns in 2014. It should be noted that parties are not allowed to use the public proportional funding they receive from Parliament during the last three weeks before election day. Several countries have an upper limit applicable to all parties on the financial resources they can use for campaigning. Such an arrangement will make the playing field slightly more level, and will reduce the influence of private funding on parties.

Related to direct funding is the abuse of state resources by governing parties as indirect funding or promotion of their campaigns.

It is exceptionally difficult to draw a clear-cut distinction between government business and the activities of a governing party, still better rules about the separation of the two are required.

2. South African voters outside the country (Electoral Amendment Act, 2013):

No reliable statistics exist about how many eligible South African voters are outside the country. Procedures exist to regulate their registration as voters or voting status but who they are and where they are, is largely unknown (it is outside the domain of Stats SA's national census). While it is generally presumed that more than a million of them qualify as voters, the election involved only minute numbers. A total of 6789 registered as voters outside the country, though 18 446 were recorded as having voted outside the country. This incongruence between the two numbers is accounted for by the fact that some voters registered in South Africa were eligible to vote outside the country at diplomatic missions in 2014, and evidently. While voting by expatriates in their host countries is a global practice, the procedural aspects should be revisited in

order to increase the number of South Africans using this opportunity to vote.

3. Voting participation by the youth:

Section 6(1A) in the Electoral Act provides that a South African citizen can start to register as a voter at the age of 16 years. In the 2014 elections only about a third of the eligible voters aged 18-19 years were registered (compared to the overall average of about 80 per cent) and it is generally accepted that the voter turn-out in the age groups below 30 years was low. More effective registration strategies (for example at schools) had to be developed and more engaging voter education is required to mobilise younger voters.

4. Re-assessment of Section 24A, Electoral Act:

One of the most serious logistical issues in 2014 was an overconcentration of voters at some polling stations (and therefore shortage of voting material) while others were under-utilised. Demarcation of the voting districts and identifying the voting stations are done on the basis of approximately equal distribution of the

voting population to the stations. However section 24A allows for voters to move between voting stations, which makes proper preparations based on predictable numbers impossible. Section 24A should be amended/ redesigned – voters should at least be required to give prior notice of their intention to vote at another station.

5. Voter education should be reactivated (Regulations, 1998 and Electoral Commission Act, Section 5):

Voter education was successful in 1994 but appears to have had lower priority since. Electoral literacy is generally low while the citizens' knowledge of the Constitution is equally problematic. The IEC has a mandate to provide voter education and private educators can also be accredited and contracted to provide this on behalf of the Commission. Much more prominence and resources should be attached voter education specifically and civic education, in general.

6. Secure transportation of counted ballots (Electoral Act, section 50):

Some of the most serious complaints in 2014 were about abandoned ballot papers found along roads or in private homes. These ballots were in most instances already counted and therefore did not directly affect the election results but it does affect the need for secure storage of the ballots, because electoral disputes can still be declared and proper dispute resolution (including Electoral Court hearings) depend on secured evidence (election documentation and materials). Section 50 does not provide procedural prescriptions for how election material must be secured and transported, after the counting process.

7. Ballot boxes must be transparent (Electoral Act, section 69, SADC Parliamentary Forum Norms and Standards for Elections in the SADC Region, 2001, Part 3, par. 10):

The SADC Parliamentary Forum recommended that all ballot boxes should be made of transparent material to inhibit any form of election fraud or misconduct. However, Section 69 of the Electoral Act allows the IEC to determine the material to be used instead of insisting on transparent material.

8. Decision-making about party advertisements in the media:

During 2014 several incidents occurred involving mainly the SABC which initially refused to broadcast certain party advertisements. ICASA regulates the media (but not political parties) and also determines proportional advertisement opportunities for all registered parties. At the same time the parties (but not the media) are subject to the IEC's Code of Conduct regarding the content of their campaign material. However in these incidents the SABC took the final decision and not ICASA or the IEC, and in the end it was reviewed by a court. The power of final decision-making in these types of situations has to be better coordinated or clarified before judicial review is sought.

9. Identification of priority areas for the deployment of better quality staff members and resources :

As the EISA Election Update noted, there seems to have been disparities in the management and administration of polling stations between rural and urban areas. Despite urban areas having a greater number of registered vot-

ers compared to rural areas, the majority of complaints of a logistical and administrative nature appear to have come from rural areas. While this might be attributable to the uneven spread of resources in the rural areas compared to that of urban areas, the IEC would be encouraged to do a greater amount in order to provide both more systematic training and more rigorous recruitment of trained and experienced staff, with a special focus on the rural areas. In general more systematic recruitment and training of short term electoral staff across the board is encouraged.

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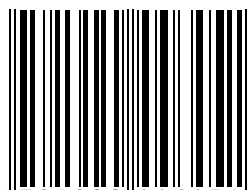


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