

# **A Study of Democratic Consolidation in South Africa: What Progress to Date?**

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## DECLARATION

I, the undersigned, hereby declare that the work contained in this assignment is my own original work and that I have not previously, in its entirety or in part, submitted it at any other university for any degree.

Signature: ..... Date: .....

## ABSTRACT

Democratic consolidation has become an increasingly popular phenomenon with the advent of democracy in countries all over the world, making the successful transition to a democratic dispensation from authoritarian rule. South Africa, as the case under analysis, provides a clear example of a country that has successfully managed a democratic transition, and is now on the path of consolidating its democracy thirteen years into democratic rule. The extent to which democratic consolidation is being effected in South Africa is the primary focus of this study, with a critical examination of the factors that are instrumental in creating and sustaining the conditions conducive to democratic survival.

This study provides a theoretical grounding in the existing literature on democratic consolidation, which enables us to highlight the key areas of consolidation. The criteria used to determine the degree to which South Africa's democracy can be regarded consolidated was developed by Linz and Stepan (1996), Przeworski et al (1996), Bratton and van de Walle (1997) and the subsequent writings of others. This enables us to develop a multivariate framework for evaluating the extent to which democracy is ingrained in South Africa, as well as assessing prospects for the consolidation thereof. The criteria in this study are thus broadly subdivided into the following categories. Firstly, the existence of an autonomous political society, whereby democratic institutions are evaluated in light of the parliamentary system, the electoral system, elections, the state of political parties in South Africa, and the existence of a legal culture that upholds our Constitutional democracy.

Secondly, the existence of an economic society in South Africa is assessed in terms of the state of the economy and the economic policies followed by the ruling party implemented to enhance economic growth. This is studied in the context of current socio-economic ills, such as income inequality, poverty, unemployment, and measures designed to relieve these problems, most notably the creation and development of a black middle class to generate greater equality and empower the black majority.

Lastly, social factors are discussed, with an emphasis on race and the significance it assumes in South African politics today. Other factors such as the existence of a strong and vibrant civil society and the development of a democratic political culture are equally important in sustaining a democratic dispensation. The latter, for the most part, was found to be a crucial determinant of whether prospects for democratic consolidation in South Africa are positive. Political culture, in essence, embodies all the criteria discussed, and thus is an underlying theme throughout this study.

The findings indicate that South Africa's democracy is consolidating in terms of institution building; however these institutions need to be protected and strengthened to ensure that trust and confidence in them is developed and maintained. The major obstacle to achieving consolidation though, is the issue of the African National Congress' dominance in Parliament, rendering the opposition relatively insignificant. In addition, poverty and unemployment persists despite policies designed to uplift the poor. This was found to be a significant burden on democratic consolidation. Civil society plays an important role in this regard in helping to improve service delivery, as well as acting as a watchdog over state power, which is pivotal in fostering a democratic political culture. Whether or not this is sufficient in upholding democracy, only time will tell.

## OPSOMMING

Demokratiese konsolidasie het oornag 'n populêre verskynsel in talle demokrasiëe regoor die wêreld geword, waar suksesvolle oorskakeling van 'n outokratiese regering na 'n demokratiese regering plaas gevind het. Suid - Afrika is 'n uitstekende voorbeeld van 'n land wat met sukses die oorskakeling bewerkstellig het, en nou op pad is na die konsolidering van sy demokrasie, dertien jaar na die transisie na 'n demokratiese regering. Die omvang van die konsolidasie in Suid-Afrika is die fokuspunt van die studie, met 'n kritiese ondersoek na die faktore wat instrumenteel is in die skepping en volhoubaarheid van 'n demokratiese regeringstelsel.

Die studie is teoreties gefundeer in die bestaande litretuur op demokratiese konsolidasie, wat ons in staat stel om die sleutelaspekte van konsolodasie uit te wys. Die kriteria wat gebruik is om te bepaal tot watter mate Suid-Afrika se demokrasie as gekonsolideer beskou kan word, is ontwikkel Linz en Stepan (1996), Przeworski et al (1996), Bratton and van de Walle (1997) en andere se werk daarna. Dit stel ons in staat om 'n multi-veranderlike raamwerk te ontwikkel, ten einde te evalueer tot watter mate demokrasie in Suid-Afrika ingewortel is, en om die vooruitsigte vir konsolidasie daarom te bepaal. Die kriteria sluit verskillende dimensies van konsolidasie in en gee 'n meer omvattende begrip van die stand van demokratiese konsolidasie in Suid-Afrika. Eerstens, die bestaan van 'n outonome politieke samelewing waardeur demokratiese instelling ge-evalueer word aan die hand van die parlementêre stelsel, die verkiesingsstelsel, verkiesings, die stand van die politieke partye in Suid-Afrika en die bestaan van 'n regskultuur wat die grondwetlike orde ondersteun.

Tweedens, die bestaan van 'n ekonieme samelewing in Suid-Afrika word ge-evalueer in terme van die stand van die ekonomie en die ekonomiese beleid wat die regerende party volg om ekonomiese groei te skep. Die studie ondersoek sosio-ekonomiese gebreke, soos, inkomste ongelykhede, armoede, werkloosheid, en meetbare oplossings wat ontwerp is om probleme op te los, asook die doelbewuste skepping van beleide soos die onwikkkeling van 'n swart middelklas deur swart bemagtiging, en die uitwissing van die gaping tussen ryk en arm.

Laastens, die sosiale faktore, met die klem op ras en die belang daarvan in die huidige

politiek in Suid-Afrika. Ander faktore soos die bestaan van 'n sterk burgerlike samelewing en die ontwikkeling van 'n demokratiese politieke kultuur is net so belangrik in die volhoubaarheid van 'n demokratiese bedeling. Laasgenoemde, kan gesien word as 'n belangrike determinant van die verskil tussen suksesvolle en onsuksesvolle demokratiese konsolidasie. Politieke kultuur, in sy wese, omvat al die bogenoemde aspekte, en is dus die onderliggende tema van die studie van konsolidasie in Suid-Afrika.

Die bevindinge bewys dat Suid-Afrika se demokrasie besig is om te konsolideer in terme van die bou van instellings, alhoewel die instellings beskerming en ondersteuning nodig het om die geloofwaardigheid en legitimiteit wat ontwikkel is, te volhou. Die grootste struikelblok in die pad van konsolidasie is die eenparty dominasie van die ANC, wat die opposisie feitlik onbenullig maak. Volgehoue armoede and werkloosheid dra by tot die ondermyning van konsolidasie. Burgelike gemeenskappe speel 'n belangrike rol om dienslewering te bevorder, asook om as die waghond van die staat te dien, wat van onskatbare waarde in 'n demokratiese kultuur is. Of dit genoeg is om die demokrasie volhoubaar te maak, sal net tyd kan leer.

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## **Chapter One: Introduction**

### **1. Introduction**

#### **1.1. Background to the Study**

In the book, *The Third Wave*, Huntington (1991: xiii) labels the sequence of democratic transitions that occurred from 1974 and onward as, “perhaps the most important global political development of the late twentieth century”. Today, with more than thirty years of some remarkable examples of democratic transitions, such as Greece and Spain, it has become clear that the third wave is not a complete success story. Among the 85 states that experienced a transition within the period 1974-1995, only 30 can in 2005 be categorised as consolidated and 24 countries have undergone a breakdown to authoritarian rule (Diamond, 1999: 63). These processes have shown that the relationship between transition and consolidation is not in any way presumed to be a given that those countries that make the transition towards a democratic dispensation will naturally effect its consolidation. As Diamond aptly notes, “[D]emocracy will not persist by default, the newly transitioned democracy has to move forward and take further steps toward consolidation in order to keep the democratic process from stagnation or reversal” (1999: 64).

Thus, while the third wave has brought welcome political and economic opportunities, as well as new connections between wealth and power, many of these are not what had been hoped for. For many citizens, “democracy” has exacerbated poverty and inequality, as well as highlighting ineffective leadership in the public realm:

Democracy may be the most common form of government in the world, but outside of the wealthy industrialised nations it tends to be shallow, illiberal, and poorly institutionalised. If there are no immediate threats of democratic collapse in most of those countries, neither are there clear signs that democracy has become consolidated and stable, truly the only viable political system and method for the foreseeable future. In fact, of the more than 70 new democracies that have come into being since the start of the third wave, only a small number are generally considered to be deeply rooted and secure. The remainder appear for now “condemned to remain democratic” while they muddle through as ‘unconsolidated democracies’ (Diamond, 1997: xv).

As alluded to in the above excerpt, the probabilities of successful consolidation are invariably linked to the country's level of economic development. The existence of abject poverty, massive shortages in basic social necessities, and unemployment, among others, are all among factors that will not only hamper democratisation but will also contribute to social and economic instability (Maloka, 2001: 228). Africa experienced its democratisation wave from 1989 (Maloka, 2001: 229), but most states in Africa have experienced difficult economic conditions, which in part explains why democratisation has suffered setbacks in many African countries. By 1997, coups were back on Africa's political landscape, from Gambia and Sierra Leone to Burundi, Congo and, subsequently, Ivory Coast, which can be attributed to the weakness of the state, poor economic conditions, the fusion of the state and party, and the failure of the political elite to manage intra- and inter-party relations as well as relations between the state and society (Mottiar, 2002: 1)

South Africa was amongst the later countries to democratise and provide the basis for subsequent consolidation. South Africa joined the 'third wave of democracy' in 1994, when the country conducted its first democratic elections. It was the culmination of four years of tough negotiations that had been made possible by compromises and sacrifices on both sides of the political divide (Garcia-Rivero et al, 2002: 163). South Africa's democracy is regarded by most as still in a stage of infancy, but a lively debate on democratic consolidation already exists. Maloka (2001: 229) argues that the South African transition was not simply about the eradication of authoritarian rule, but also constituted an anti-colonial, liberation struggle for the black majority. In this sense, the transition was more than just democratisation, for it also entailed nation-building, the deracialisation of the state and economy, and a redistribution and reallocation of resources as well as the eradication of the legacy of Apartheid in all spheres of society (Suttner, 2004: 760).

The dimensions that condition the consolidation of democracy are pivotal in the reinforcement and strengthening of a democratic regime. This study makes use primarily

of the work developed by the authors, Linz and Stepan (1996), Przeworski, Huntington, Sheddler, O' Donnell, and Schmitter, among others, in order to determine the probable tasks that must be undertaken before a democratic regime, particularly South Africa, could be considered consolidated. Further examination into the extent of South Africa's democratic process and its state of consolidation is forthcoming.

## **1.2. Research Problem**

It has been noted that of the three basic political processes of democratisation – authoritarian break down, democratic transition and democratic consolidation, the last is the least studied and the least understood (Mottiar, 2002: 1). This is due to the abstract nature of recent examinations of the phrase, democratic consolidation by numerous scholars, which provides no clearly identifiable standards by which agreement and consensus can be reached, in comparison to democratic transition. In contrast, a vast literature has appeared over the last couple of decades on democratic transition. Maloka (2001: 228) points out that the dynamics of the transition impact on the pace, duration, and direction of the consolidation phase, whether the transition resulted in continuity or rupture with the past, or whether the new political elite is drawn from the previous regime or the opposition, are all among factors that may stagnate, reverse, or accelerate the consolidation phase. It is necessary however, that we distinguish between these concepts of transition and consolidation, in order to clarify the question put forth in this dissertation that involves the degree to which South Africa is functioning as a consolidated democracy.

In this vein, it must be stated that democracy is a highly disputed term. Thus, any definition of democratic consolidation will be effected by the definition of democracy used. In determining the quality of a particular democratic regime, one needs to establish the criteria by which to measure its democratic legitimacy. Linz and Stepan (1996: 5) state that in most cases after a democratic transition has been completed, there are still many tasks that need to be accomplished, conditions that must be established, and attitudes and habits that must be cultivated before democracy could be considered

consolidated. Thus, this alludes to Suttner's argument that the question is not only to ensure that there is democracy, but also that it is sustainable (2004: 755).

In reference to the above, it is evident that democratic consolidation cannot be considered a given once a democratic transition has been effected. After the transition comes consolidation, a slow but purposeful process in which democratic forms are transformed into democratic substance through the reform of state institutions, the regularisation of elections, the strengthening of civil society, and the overall habituation of the society to the new democratic "rules of the game" (Carothers, 2002: 7). Furthermore, one cannot assume that transitional countries will move steadily on this path towards consolidation. In the case of South Africa, many democratic activists have adopted this approach that South Africa is on its way to becoming a consolidated democracy on the premise *inter alia*, that the country has fared well in a democratic environment, with regular free and fair elections being held, a strong and lively civil society holding the government accountable, and relatively autonomous political institutions. Given the fact that South Africa's democracy is functioning well thirteen years into its existence, this cannot be accepted as fact that the country's democracy is consolidated.

In this view, Carothers (2002: 9) makes reference to a political gray zone, whereby many transitional countries are neither dictatorial nor clearly headed towards democracy. They have some attributes of democratic political life, including at least limited political space for opposition parties and independent civil society, as well as regular elections and democratic constitutions. Yet they suffer from serious democratic deficits, often including poor representation of citizens' interests, low levels of political participation beyond voting, frequent abuse of the law by government officials, very low levels of public confidence in state institutions, and persistently poor institutional performance by the state (Carothers, 2002: 10). The gray zone is however still very much an unstudied phenomenon. Carothers highlights two broad political syndromes that can be seen as common in the gray zone, namely *feckless pluralism* and *dominant-power politics*. In the case of South Africa, the latter applies.

Countries with this syndrome have limited but still real political space, some political contestation by opposition groups, and at least most of the basic institutional forms of democracy. Yet one party dominates the system in such a way that there appears to be little prospect of alternation of power in the foreseeable future (Carothers, 2002: 12). A key political problem in dominant-power countries is the blurring of the line between the state and the ruling party, as well as the subordination of the judiciary to Government, as part of the one-sided grip on power.

Since 1994, the inception of a new democratic era in South Africa raised new challenges, as well as having to deal with the failures of the former authoritarian regime by reinstating policies that would reverse some of the imbalances created by the Apartheid elites. What we need to ascertain is how these challenges have affected the efficacy of democracy in South Africa by analysing and examining various indicators of democratic consolidation, and whether they have contributed to the strengthening or erosion of democracy in the country.

Some of the more prominent challenges that South Africa is currently facing comprise a number of socio-economic ills, such as high unemployment, crime, poverty, and the controversial issue of HIV/AIDS. These issues are important factors that play a role in undermining the strength of a democratic dispensation. In addition, the extent to which South African politics is stratified along racial lines exacerbates already existing ethnic tensions in society, as the political scenario often reflects the general outlook of society. Maloka (2001: 228) endorses this view, claiming that political parties can act as agents for reconciliation or alternatively promote divisions within society. Thus, racial politics plays a dominant role in the case of South Africa and is an important variable to consider in the consolidation of its democracy.

Another factor that needs to be considered in this research is the character of the ANC (African National Congress) as what is called a 'dominant party' and the implications thereof for democratic consolidation. The weakness of the opposition is seen as a basis for withholding accreditation of the South African transition as a democracy that has

been consolidated (Suttner, 2004: 756), as the likelihood of turnover in government is low. At present, there seems to be no realistic alternative to the government of the day, as opposition parties (particularly white opposition parties) have failed to break into the African electorate, which continues to place checks on their political strength. Furthermore, the increasing centralisation of power in the office of the presidency leaves little room for institutions to operate independently, and act as checks on the President's power, which undermines the very nature of democratic principles. With the country headed towards an entrenched dominant party system, which, given the ongoing consequences of a racially polarised society together with the effects of a proportional representation electoral system, may not augur well for the long-term prospects of consolidating democracy (Shubane and Stack, 1999: 2).

By using the framework as developed by Linz and Stepan (1996) as the primary criteria by which to measure the consolidation of South Africa's democracy, we will establish whether the country fulfils the necessary conditions for it to be termed a consolidated democracy. If a functioning state exists, five other interconnected and mutually reinforcing conditions must also exist or be crafted for a democracy to be consolidated (Linz and Stepan, 1996: 7). The authors expand on their argument by referring to "the five arenas of a consolidated democracy" (1996: 7): First the conditions must exist for the development of a free and lively civil society. Second, there must be a relatively autonomous and valued political society. Third, there must be a rule of law to ensure legal guarantees for citizens' freedoms and independent associational life. Fourth, there must be a state bureaucracy that is usable by the new democratic government. Fifth, there must be an institutionalised economic society. These arenas will be further explicated in following chapters in the assessment of South Africa, and how the country measures up to this framework.

An area that has not been mentioned, but is nevertheless as important as any other indicator of democratic consolidation, is that of political culture. The link between political culture and democracy has been of definite explanatory use for political scientists, ranging from Verba to Inglehart who have expanded amply on it (Garcia-



Rivero et al, 2002: 163). Political culture is pivotal in creating a culture of democracy among the citizenry of a country, whereby a common consciousness is prevalent, and democratic values are instilled in the population. A democracy is most likely to be consolidated if democratic principles are actively supported by the country's 'national psyche' (Shubane and Stack, 1999: 3). The concept of political culture can be measured by a wide range of indicators, two of the most important of which are political tolerance and trust. This has been dealt with by various scholars, such as Garcia-Rivera et al (2002), Gibson et al (1992), and Gouws (1991; 1993; 1996). These indicators will be analysed to determine their relationship to the consolidation of democracy in the context of South Africa.

In South Africa's case, shortcomings in the existing literature on democratic consolidation are apparent. Valuable studies have been conducted in the field, however it is evident that the most of the research conducted has tended to conceptualise the dependent variable, democratic consolidation, in a 'thin' way (Coppedge, 1999), meaning that few indicators have been used in studies to measure consolidation. These indicators are often simplistic, uni-dimensional, and methodologically questionable – many of them coming from the Freedom House index. Furthermore, even though many different groups of hypotheses have been generated and many variables have been tested, few attempts have been made to include them all in one study in order to simultaneously test their impact, either empirically or qualitatively.

### **1.3. Research Objectives**

Democratic Consolidation in South Africa is the main focus of this dissertation. Since 1974, many countries from different regions over the world have abolished their authoritarian regimes and introduced a democratic political system. Social Scientists as well as political practitioners discuss whether these young democracies will fall back into their authoritarian pasts and what kind of conditions might foster their struggle for democratic survival (Manning, 2002: 1). The overall label for this wide topic is thus the 'consolidation of democracy'.

In the case of South Africa, it seems highly unlikely that the country will revert to its authoritarian past due to the relatively smooth transition to a democratic dispensation and the mass of support the democratic regime as received since 1994. This dissertation aims to problematise the factors that avail themselves and contribute to the strengthening of South Africa's thirteen year old democracy, as well as examine the indicators that cultivate the conditions conducive to long-term consolidation, or on the contrary, whether these variables are in fact threatening the very existence of democracy in South Africa.

### **1.3.1. Motivation for the Selection of this Case**

As alluded to, the relevance of this research derives from several conceptual and theoretical shortcomings in the existing literature on democratic consolidation, particularly on studies relating to South Africa. This thesis intends to address some of these issues.

South Africa is a very significant case because it is the only country in the world that legalised a policy of segregation – Apartheid. It lasted nearly fifty years, but the country emerged from oppressive authoritarian rule victoriously in 1994, and to date has not suffered any major threats to its relatively new democratic regime. Generally, it appears that countries with authoritarian pasts make democracies more susceptible to the risk of a democratic breakdown, and it is in this light that South Africa may be seen as a unique case, considering that its democracy has survived for thirteen years until present. We are interested in future prospects for democratic consolidation how the democratic dispensation has evolved until now, as well as how it has fared bearing in mind the legacy of Apartheid, which is associated with its authoritarian past.

### **1.4. Research Question**

To what extent do institutional factors, socioeconomic factors, social factors, civil society, and political culture explain the degree of democratic consolidation in South Africa?

Dealing with the dependent variable - democratic consolidation - this question recognises its multidimensionality, and is thus measured with more than one indicator. On the independent variable side, I include all groups of relevant factors mentioned in the literature, *namely*: institutional factors, socioeconomic factors, cleavage structures (social factors), civil society, and political culture factors. In addition, this thesis will also show that the probability that South Africa's democracy is consolidated is increasing with its age.

### **1.5. Research Design**

This is a case study of South Africa to analyse the extent to which its democracy can be considered consolidated, thirteen years since its imposition. Firstly, it is a literature overview that is being done with the intention of learning about the research already conducted in the field of democratic consolidation and how this relates to South Africa, with the end goal of accumulating knowledge, as well as building on the work of other scholars to provide a more comprehensive study of the current state of South Africa's democracy, with respect to consolidation.

Secondly, this study is qualitative in nature, relying primarily on secondary sources gained from the library of the University of Stellenbosch. The data used in this study was taken from academic books and journals, handbooks, the Internet, as well as newspaper articles.

Thirdly, this is a descriptive analysis in which I will interpret the factors that impact on democratic consolidation in South Africa, and thus measure the degree that its democracy is consolidated. A number of factors will be identified that have shown to influence democratic consolidation in a number of countries and these will be applied to South Africa, as well as additional indicators that will be incorporated into the study, to exemplify the distinctiveness of South Africa's case. Examples of additional indicators that will be used are political tolerance and trust, and how these affect democratic consolidation in South Africa.

Lastly, this study is conducted on the macro level, with the unit of analysis being the country of South Africa. This study, further analyses the factors within a specific country, namely the independent variables, with a critical look at how they influence democratic consolidation in South Africa, the dependent variable.

### **1.6. Research Limitations**

There are not many problems that have arisen in this research. Given that this study is qualitative and not empirical in nature, this rules out a number of problems. Firstly, this study is not at the mercy of inaccurate statistics or reports that have been documented, as it is a theoretical analysis focusing on democracy in South Africa. However, caution still needs to be ensured when conducting research, in terms of the reliability of the sources used, as well as its applicability to the case of South Africa. A second problem, which is most likely the biggest challenge of this study, is the fact that research conducted in the field of democratic consolidation in South Africa is somewhat limited and scarce. This can be attributed to the fact that South Africa's democracy is still in its infant stages, and thus, measuring the consolidation of its democracy can only really occur as the democracy matures. Therefore, much of the literature used in this research comes from other democracies that have matured, but have nevertheless experienced some of the problems that South Africa is experiencing. However, there is an abundance of literature on democracy in South Africa, which will prove useful in drawing conclusions about the state of its consolidation.

It has become clear that in doing research on institutional engineering, much of this literature is limited to Western and matured democracies. Thus, caution needs to be exercised when applying these principles to the case of South Africa, where research is hard to come by. We must be vigilant and maintain the perspectives put forth in this thesis that South Africa is an emerging democracy, and assess the prospects of democratic consolidation in that light, as well as future prospects of democratic consolidation.

Many studies have focused solely on institutional variables in determining the degree of democratic consolidation. A wider analysis of democratic consolidation is necessary to achieve the best results of the study in determining whether a democracy is truly consolidated. This study embraces this broad focus and extends the scope of research to encapsulate socio-economic and social factors, as we are dealing with a multidimensional phenomenon – consolidation.

Conceptually, the definition of a consolidated democracy becomes problematic, unless specified in one's research what definition the argument will be based on. Schedler (2001: 66) states that in its most widespread application, a 'consolidated' democracy is one that is unlikely to break down. For all its apparent thinness and simplicity, this conceptualisation poses considerable problems of operationalisation and measurement. Thus, this study emphasises that consolidation requires a whole range of problems and issues that need to be examined, as well as the various approaches in studying democratic consolidation, i.e. behavioural, attitudinal, constitutional, and structural foundations of democracy, as advanced by Linz and Stepan (1996) and Schedler (2001).

In terms of the research, this dissertation limits itself to the resources available to the researcher, such as the library and the Internet. No personal interviews will be conducted, and therefore consulting secondary sources, such as journals and books will be the primary mode of gathering information. Furthermore, the researcher has decided to chronologically delimit this study to the period between 1994 up until present. The motivation behind this is because it enables us to develop a clear understanding of how South Africa's democracy has developed since the transition from authoritarian rule in 1994 up until the time of writing in 2007. In addition, prospects for future consolidation will be examined, with respect to the factors selected to measure democratic consolidation. This dissertation integrates, revises, and draws on the existing literature on South Africa starting from a theoretical standpoint since 1994, in order to illustrate the path that the democracy has taken, and further to highlight the prospects for democratic survival and consolidation in the future.

## **Chapter Two: Literature Overview and Theoretical Perspective**

### **2.1. Introduction**

The purpose of this chapter is to provide a survey of some of the burgeoning literature on conditions for democratic consolidation, and to reduce it to some systematic order.

The term 'democratic consolidation' has been used by transition theorists to describe a stage after the founding of democratic institutions, which is characterised by a situation in which democratic continuity is still uncertain, and some major political actors are still opposed to democratic rule (Remmer, 1996: 615). Much of the consolidation literature reviewed in this chapter accepts the general argument that democratic practices need to be institutionalised in order for consolidation to be effected, and further that the masses and the elite alike come to accept democratic practices as the only way to resolve conflict. According to Haynes (2000: 132), it thus follows that a consolidated democracy requires : 1) increasing numbers of significant democratic actors; 2) neutralisation of non-democrats; 3) both elites and masses comfortable with democratic norms and behaviour; and 4) politicians subordinating individualistic strategies, as well as their ideological divisions, so as not to facilitate the return of authoritarianism. If such steps are accomplished, a generally accepted pattern of rules and norms emerges, along with the institutional prerequisites needed for a democracy to succeed. In short, democracy becomes entrenched in the minds of citizens and elites as the best possible form of government.

The structure of this chapter is as follows. First, we review the existing literature on democracy and democratic consolidation with reference to the Third World before moving, second, to assess what factors – domestic or external – are most important in democratic outcomes, and in the longer term, democratic consolidation. The criteria used to measure democratic consolidation in South Africa are set out in this chapter, and is primarily based on the criteria as developed by Linz and Stepan (1996).

## **2.2. Conceptualising Democracy and Democratic Consolidation**

Democracy has been defined by many scholars in numerous, but not always precise ways. Huntington divides contemporary definitions of democracy into three main families – those based on the “sources of authority for government”, “the purposes served by government”, or “the procedures for constituting the government (1991: 6). The first is straightforward, for democracy literally means ‘rule by the people’, but nearly every country claims to be democratic under that broad sense, even though the regime may be anti-democratic in its behaviour. The second approach is more general, where it considers human wellbeing a factor, and the duties to be fulfilled by the government expected from the citizenry. Lastly, the third strategy defines democracy in terms of the way the government is constituted. This approach seems best for our purposes here, as it is a minimalist method of defining democracy, yet it still embodies the ideas basic to understanding democratic consolidation.

Throughout this study, the work of Dahl, as one of the founding fathers of democracy, will be drawn on frequently. In the context of democratic consolidation, Dahl, for example, writes of polyarchies: not pure or direct democracies, but

... relatively (but incompletely) democratised regimes, or, to put it another way... regimes that have been substantially popularised and liberalised, that is, highly inclusive and extensively open to public contestation (1971: 8-9).

Beginning with the premise that “a key characteristic of a democracy is the continuing responsiveness of the government to the preferences of its citizens, considered as political equals” (Huntington, 1991: 8), Dahl further argues that to do that a government must maintain for its citizens three “unimpaired opportunities”:

1. To formulate their preferences
2. To signify their preferences to their fellow citizens and the government by individual and collective action
3. To have their preferences weighed equally in the conduct of the government, that is, weighted with no discrimination because of the content or source of the preference (Dahl, 1971: 2).

From these basic opportunities, he derives eight “guarantees” essential to maintaining a polyarchy in a large society:

1. Freedom to form and join organisations
2. Freedom of expression
3. Right to vote
4. Eligibility for public office
5. Right of political leaders to compete for support
  - 5a. Right of political leaders to compete for votes
6. Alternative sources of information
7. Free and fair elections
8. Institutions for making government policies depend on votes and other expressions of preference (Dahl, 1971: 3).

Dahl thus directs our attention to a number of important issues in this analysis. Firstly, that democratic consolidation can only take place if the basic conditions of democracy are met in order to ensure democratic survival. Secondly, that the institutions characteristic of a democracy are in place that would serve to consolidate democratic practice. In South Africa, these conditions have been met; however, it is necessary at this stage of our analysis to turn directly to the concept of democratic consolidation to understand how this concept has been developed by numerous scholars.

### **2.2.1. Literature on Democracy after the Third Wave**

In the 1980’s, research on democratisation focused largely on democratic transition – the circumstances under which nondemocratic regimes are replaced by democracies (Gasiorowski and Power, 1998: 740). More recently, and with the emergence of many new democracies worldwide, attention has turned to democratic consolidation – the factors that affect the durability and survival of new democracies. However, Gasiorowski and Power (1998: 741) point out that the literature on consolidation has neglected important influences affecting consolidation and that it generally privileges the role of political processes over structural factors that impact on democracies. Commenting on this trend, Remmer (1996: 630) writes that “comparativists have all but abandoned efforts to generalise about the macrosocial prerequisites for political democracy in favour of



more contingent understandings emphasising the strategic choices of political actors”. Gasiorowski and Power (1998) argue that although political processes are obviously crucial in affecting the consolidation (or demise) of new democratic regimes, these processes, in turn, may be influenced in important ways by the structural factors emphasised in earlier literature. The most widely studied structural factors bearing on democracy are a group of interrelated socioeconomic variables associated with economic development, including a country’s level of wealth, its degree of industrialisation, the size of its middle and working class, the political culture of a country, and the extent of education and urbanisation (Beetham, 1994; Gasiorowski and Power, 1998; Lehman, 2007).

The extent of socioeconomic development is equally as important as institutional development in a democratic regime. In their analysis of democratic consolidation, Przeworski et al (1996) asked the question of why democracies endure and what conditions should be present in that country for a democratic regime to exist. After analysing conditions in 135 countries (1990) they found that six variables were directly related to a democratic regime becoming consolidated, namely: democracy, affluence, economic performance, income inequality, a favourable international climate, and parliamentary institutions. In this light, Seymour Martin Lipset correctly asserted that “the more well-to-do a nation, the greater the chances that it will sustain democracy” (), emphasising the importance of the three Przeworskian socioeconomic variables, namely affluence, economic performance, and income inequality in democratic consolidation. Thus, Przeworski et al’s (1996) central finding was indeed the importance of economic factors in sustaining democracies.

In their Seminal Book on *Democratic Experiments in Africa*, Bratton and van de Walle (1997) built on the work of Przeworski et al (1996), including these Przeworskian variables in their multivariate model, namely that survival and consolidation of democracy depended on not only institutional factors but also on socioeconomics. In their multivariate framework for analysing democratic consolidation, they look at namely, the context of democratic consolidation (socioeconomic structures, economic conditions, and

the international context), institutional legacies (the military, state institutions, political society, and civil society), and transition legacies (the length of the transition and unimpacted transitions). More credence for this thinking was forthcoming with the work of Leftwich (2000) in his book *States of Development*, where after listing conditions for democratic survival, he goes on to mention five factors for democratic endurance: affluence, growth, declining inequality, absence of breakdowns, and parliamentary rather than presidential governance in new nations. These are almost an exact replica of the Przeworski (1996) thinking in predictors of democratic survival.

Democratic consolidation is in concrete terms the strengthening and deepening of democracy in a country that is moving away from an authoritarian system to a much more open society – as in the case of South Africa which underwent its democratic transition in 1994, which has been approximated with the consolidation of its democracy. Beetham (1994: 159) however draws attention to the conceptual problem of ‘consolidation’. Most writers on democratisation agree on two propositions. One is that the process of consolidating democracy, which begins where the ‘transition to democracy’ ends, i.e., with the inauguration of a new government at the first free and fair elections since the end of the pre-democratic regime, is a much more lengthy and difficult process than the transition itself. Establishing democratic electoral arrangements is one thing, sustaining them over time is quite another. Secondly, the factors making for the consolidation of democracy are not necessarily the same as those contributing to its inauguration; the explanation for democratic sustainability may well be different from the explanation for the transition from authoritarian rule (Beetham, 1994: 160).

So, what exactly is meant by ‘consolidation’? There are different views and interpretations of the nature of democratic consolidation – essentially, when the process can be said to have been achieved. There are two broad perspectives on how a democracy can be said to be consolidated: the substantive and procedural understandings of democratic consolidation. Substantive democracy, takes a long-term view that emphasises the assessment of broad political, economic, and social facets of a society in transition (Carothers, 2002: 8). This view takes cognisance of issues like ‘prerequisites of

democracy', based on what Giliomee (2005) has for example noted as: "the social requisites for change" such as the correlation between the wealth of a nation and the prospects of realising a democratic society, along with the other structural factors mentioned. The procedural view, adopts a narrower perspective that posits that democratic consolidation can be effectively assessed by considering technocratic and institutional aspects of society (Beetham, 1994: 163). Thus, we have seen that definitions provided by Przeworski and others (1996), Bratton and van de Walle (1997) and Leftwich (2000) correctly take heed of both the substantive and procedural aspects of democratic consolidation.

In defining consolidation, a wide range of definitions have been presented over the last several years (Linz and Stepan, 1996; Przeworski, 1991; O'Donnell, 1992). But the primary parameters derive from Linz and Stepan's argument on the characteristics of a consolidated democracy. They suggest that consolidation occurs in a democracy when "a complex system of institutions, rules, and patterned incentives and disincentives has become the only game in town" (1996: 15). The key phrase here is the "only game in town". In the same vein, Przeworski (1991) states that a democracy is consolidated when under given political and economic conditions a particular system of institutions becomes the only game in town: when no one can imagine acting outside the democratic institutions, when all losers want to do is to try again within the same institutions under which they have just lost. Linz and Stepan (1996) argue that three factors explain when that objective is reached – those factors being, behavioural, attitudinal, and the constitutional foundations of democracy.

In this vein, we pick up on the work of Shedler (2001) to supplement the work of Linz and Stepan (1996). Linz and Stepan (1996: 6) argue that democracies can be considered *consolidated democracies* when democracy becomes internalised behaviourally, attitudinally, and constitutionally. Behaviourally, a democratic regime in a territory is consolidated when no significant national, social, economic, political, or institutional actors spend significant resources attempting to achieve their objectives by creating a non-democratic regime or turning to violence or foreign intervention to secede from the

state. Schedler (2001: 70) adds that anti-democratic behaviour is a significant obstacle to the behavioural foundations of democratic stability. Anti-democratic behaviour is manifested in various forms, such as firstly, the use of violence that actors use to achieve their political goals. Secondly, the rejection of elections is another example of violating democratic principles, i.e. if political parties (a) refuse to participate in democratic elections, (b) actively deny others the right to participate, and (c) try to control electoral outcomes through fraud and intimidation. Thirdly, the transgression of authority by actors infringes on the democratic principles entrenched in a liberal democracy. Political actors are not above the law, and as Diamond (1999: 69) aptly states, for a democracy to be consolidated, actors have to obey the law, the constitution, and mutually accepted norms of political conduct.

Attitudinally, a democracy is consolidated when a strong majority of the population, even in the midst of major economic problems and deep dissatisfaction with incumbents, holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life, and when support for anti-system alternatives is quite small or isolated from pro-democratic forces (Linz and Stepan, 1996: 6). As opposed to actors' overt behaviour, the attitudinal foundations of democracy are rooted in their preferences and perceptions (Schedler, 2001: 75). Furthermore, Schedler (2001: 75) contends that the attitudinal foundations of democracy are what constitute democratic legitimacy among the elites and the masses, and subsequently becomes a defining element of democratic consolidation.

Paralleling the attitudinal foundations of democracy is civic culture. Almond and Verba are the originators of this theory. Specifically defined, Almond and Verba (1963: 13) define political culture as the "attitudes towards the political system and its various parts, and attitudes towards the role of the self in the system". It locates the consolidation of democracy with the values and attitudes which emerge with, and work to sustain, participatory democratic institutions. It relates to the manner in which people within a polity view their relationships with others vis a vis their own interests.

Constitutionally, a democratic regime is consolidated when governmental and non-governmental forces alike, throughout the territory of the state, become subjected to, and habituated to, the resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process (Linz and Stepan, 1996: 6). Adherence to these established norms is imperative, as violations of these norms undermines legitimacy and is also costly, in terms of regime consolidation.

Schedler (2001), as do Linz and Stepan (1996), both discuss the behavioural and attitudinal foundations of democracy. However, Schedler (2001: 80) discusses a third component, namely the *structural* foundations of democracy, as opposed to Linz and Stepan's (1996) third component being the constitutional foundations of democracy. Under structural approaches, Schedler (2001: 80) groups socioeconomic factors as well as institutional factors under this broad heading. In terms of socioeconomic foundations of democracy, Schedler's (2001: 80) discussion suggests that levels of economic development do translate into important constraints and opportunities for the consolidation of democracy. Along with levels of economic development, poverty and social inequality have been persistent concerns of scholars of democratic consolidation, and hence they tend to menace the very stability of a democratic regime. In terms of institutional foundations of democracy, the debate has mainly revolved around the institutional design of forms of government and electoral systems. In general, the literature has conceived formal institutions primarily as incentive structures (that either encourage or discourage antidemocratic behaviour), and only secondarily as structural constraints (that either allow or prohibit antidemocratic behaviour) (Schedler, 2001: 81).

### **2.2.2. Shortcomings in the Consolidation Literature**

In view of Linz and Stepan's (1996) definition of a consolidated democracy with regard to democracy being seen as the only game in town, O'Donnell (1996) responded by saying that their view of the only game is "too minimalist". His more expansive definition suggests that the "main criterion for democratic consolidation or institutionalisation is more or less explicitly a reasonable fit between formal rules and actual behaviour (O'Donnell, 1996: 41). His emphasis is less on elections, but more on a

high degree of institutionalisation in areas of parties, legislature, and other democratic organisations. But Gunther, Diamandouros, and Puhle (1996) differ from these views of consolidation. Gunther et al (1996) makes the important delineation between whether the regime is fully democratic and whether that democracy is consolidated. And more importantly, we should consider consolidation as a continuum, not as an either/or phenomenon. Gunther argues that consolidation should be considered as phases that do not require a complete transformation of the society. Diamond (1999) goes even further by breaking consolidation into three levels. He argues that consolidation takes place at the levels of elites, parties and movements, and the mass public. Full consolidation, or as Diamond refers to this process as the deepening of consolidation, occurs when “all significant political players at both the elite and mass levels, believe that the democratic regime is the most right and appropriate for their society, better than any other realistic alternative they can imagine” (Diamond, 1999).

Linz and Stepan (1996) and Gunther et al (1996) are quite clearly institutionalists by their criteria by which they measure democratic consolidation. Linz and Stepan (1996) list their variables for a consolidated democracy to exist, namely: the existence of civil society, the existence of a political society, a rule of law to ensure legal guarantees, a state bureaucracy, and an institutionalised economic society. Although they mention state and market, their emphasis therefore lies with their more critical variables (all variables except the economic society). This is problematic if we look at the work of Leftwich (2000: 136), which emphasises economic growth and socioeconomic aspects to be important factors that secure legitimacy in a regime (those variables lacking importance in Linz and Stepan’s (1996) model). Furthermore, Leftwich (2000) found a strong correlation between the wealth of a country and democracy.

Beetham (1994: 160) notes that the ‘two-election’ test, or the ‘transfer of power’ test, is one of the criterion assessed to measure whether a democracy is consolidated or not. He explains that democracy is consolidated when a government that has itself been elected in a free and fair contest is defeated at a subsequent election and accepts the result. The point of this criterion is that it is not winning office that matters, but losing it and

accepting the verdict; because this demonstrates that powerful players, and their social backers, are prepared to put respect for the rules of the game above the continuation of their power (Beetham, 1994: 160). O'Donnell (1996) similarly contends that a democracy is consolidated when power is alternated between rivals, support for the system is continued during times of economic hardship, rebels are defeated and punished, the regime remains stable in the face of restructuring of the party system, and there exists no significant political anti-system.

However, Mottiar (2002: 1) finds difficulty in accepting this criterion as an indicator of democratic consolidation, as it is perfectly possible to have an electoral system that meets certain minimum democratic standards, but where such a transfer of power simply does not take place because the electorate goes on voting for the same party. Such has been the case in Botswana and Japan, where the dominant party model persists. Simply because no transfer of power took place is no reason to assume that these regimes are not consolidated. Beetham (1994: 160) states that some writers favour a longevity test: 20 years, say, of regular elections are sufficient to judge a democracy consolidated, even without a change of ruling party, since habituation to the electoral process would make any alternative method for appointing rulers unthinkable. The difficulties with the same party remaining in power however are that it becomes indistinguishable from the state apparatus on the one side and powerful economic interests on the other (Lehman 2007: 10). Thus, the question of democratic consolidation cannot be separated from the quality of democracy in the country.

Gasiorowski and Power (1998: 742) similarly indicate that a further problem with longevity is that it is not in itself a good predictor of how a system will behave in the future. There would be much more confidence in the robustness of a democratic system if it had survived substantial shocks or crises, such as that of the transfer of power (Gasiorowski and Power, 1998: 742). As the definition of democratic consolidation suggests, it looks at the political system's ability to withstand shocks and pressures from the outside. Hence, this analogy holds true to the extent that a democracy can best be said to be consolidated when there is good reason to believe that it is capable of withstanding

pressures without abandoning the democratic principles on which the regime was founded.

One theme that intersects much of the literature on democratic consolidation is that this process is more than simply holding elections (Lehman 2007: 8). O'Donnell, Gunther, and Diamond all emphasise the importance of institutionalisation and legitimation of *norms* related to democratisation. Bratton (1997) defines consolidation in terms of legitimation and institutionalisation of democratic practices over time, buttressed by adoption of democratic values. Similarly, Schmitter (1992) also lays stress on political culture and social values. He argues that a democracy is consolidated when “social relations become social values i.e. Patterns of interaction can become so regular in their occurrence, so endowed with meaning, so capable of motivating behaviour that they become autonomous in their internal function and resistant to externally induced change” (1992). Indeed, there now seems to be some consensus over the meaning of consolidation to imply the deepening or extension of democratic norms, values, institutions, and practices into everyday political life (Lehman, 2007: 9). The question this study addresses is to what extent these democratic norms and practices have been consolidated in a democratic and legitimate state, notably South Africa.

### **2.3. The Existence of a State**

In order for a modern democratic polity to become consolidated, it is necessary that a state exists. The inexistence of a state or such an intense lack of identification with the state that large groups of individuals in the territory want to join a different state or create an independent state raises fundamental and often unresolvable problems (Linz and Stepan, 1996: 7). These profound differences as to who has the right of citizenship in that state are what the authors refer to as a “stateness” problem. However, the original work on democratic transitions (O'Donnell, Schmitter, and Whitehead, 1986) did not give much attention to “stateness” problems because most of the literature focused on transitions in Southern Europe and Latin America, and generally was not considered a salient issue. But Linz and Stepan (1996) emphasise the importance of a sovereign state and statehood issues as a prerequisite to democracy and its successful consolidation. For our purposes



however, it is not required that we go into the “stateness” problems as such, but rather to highlight the inexorable link between the existence of the state and a stable functioning democracy.

As a number of writers have argued, particularly O’Donnell (1993), state formation is necessarily prior to democratisation. A ‘state’ which is incapable of enforcing any effective legal or administrative order across its territory is one in which the ideas of democratic citizenship and popular accountability can have little meaning (Beetham, 1994: 163). In view of democratic principles, Beetham is of the opinion that democracy belongs to the sphere of the political in the broadest sense, defined as the sphere of collectively binding decision-making, whatever the group or collectivity may be, from the family to the state (1994: 159). Furthermore, its basic principles are that such decision-making should be controlled by all members of the group or collectivity considered as equals – the principles, in other words, of popular control and political equality (Gasiorowski and Power, 1998: 741). Thus, the central state is an important arena of collective decision-making where democratic principles may be applicable (Beetham, 1994: 159). In sum, democracy requires statehood. Without a secure state, there can be no secure democracy (Linz and Stepan, 1996: 19).

#### **2.4. Criteria for Consolidation**

Linz and Stepan (1996) elaborate their argument by referring to a set of criteria - five specific conditions that ought to prevail before a democracy can be considered consolidated. First, the conditions must exist for the development of a free and lively civil society. Second, there must be relatively autonomous and valued political society. Third, there must be a rule of law to ensure legal guarantees for citizens’ freedoms and independent associational life. Fourth, there must be a state bureaucracy that is usable by the new democratic government. Fifth, there must be an institutionalised economic society. These criteria are explicated in depth by Linz and Stepan.

Firstly, civil society is defined as an arena of the polity where self-organising and relatively autonomous groups, movements and individuals attempt to articulate values, to create associations and to advance their interests (Linz and Stepan, 1996: 7). Civil society can include manifold social movements (women's groups, religious groupings, intellectual organisations etc.) and civic associations from all social strata (such as trade unions for example). Liebenberg (1997) identifies four different ways of defining civil society: i) civil society includes economic institutions; ii) economy is part, but not all of civil society; iii) civil society is separate from state and economy, a voluntary non-profit sector; and iv) focused on the difference between civil society, economy and the state. There is little doubt that a vibrant and robust civil society plays a vital role in strengthening democracy, as it has the capacity to generate political alternatives and to monitor government and state, and to help push transitions to their completion and effect consolidation (Linz and Stepan, 1996). Thus, civil society is inextricably connected to the political society.

Secondly, political society refers to the arena in which the polity specifically arranges itself to contest the legitimate right to exercise control over public power and state apparatus (Linz and Stepan, 1996). As alluded to, political society is complemented by the existence of a lively and independent civil society. A full democratic transition and especially democratic consolidation must involve political society. Linz and Stepan (1996) further state that the composition and consolidation of a democratic polity must entail serious thought and action concerning the development of a normatively positive appreciation of those core institutions of a democratic political society – political parties, elections, electoral rules, political leadership, interparty alliances, and legislatures – by which society constitutes itself politically to select and monitor democratic government. Gasiorowski and Power (1998: 750) note that one of the main institutional conditions affecting consolidation is the type of democratic system in place. Many authors have argued that presidential democracies are less likely to consolidate than parliamentary democracies (Linz and Valenzuela, 1994). Others have argued that highly fragmented party systems also hinder consolidation, especially in presidential democracies (Mainwaring, 1993). In short, the variety of institutional and political conditions, such as

those mentioned by Linz and Stepan (1996), are important determinants of the success of well-functioning democracies. Those factors such as the dynamics between political parties and elections will be delved into depth in the following chapter on political society.

Thirdly, throughout the state all major political actors, especially the government and the state apparatus must be subjected to a rule of law that protects individual freedoms (Linz and Stepan, 1996; Mottiar, 2002). The independence and autonomy of civil and political society is supported by the rule of law. The rule of law animated by a spirit of constitutionalism is crucial in ensuring that the elected government and the state administration are subject to transparency and accountability (Mottiar, 2002). The spirit of constitutionalism also requires a clear hierarchy of laws, interpreted by an independent judicial system and supported by a strong legal culture in civil society (Linz and Stepan, 1996). In the South African situation, there are a number of features that contribute to a strong legal culture, provide for the protection of democratic rights, and contribute towards consolidation. One can point to the extensive constitutional machinery in support of democracy, such as the Constitutional Court, the Public Protector, the Human Rights Commission, the Commission on Gender Equality, and the Chapter 9 institutions of the South African Constitution (Suttner, 2004: 758). However, Schlemmer (2005: 7) highlights a discrepancy in the judicial system in South Africa concerning the independence of the judiciary, which goes against the very principles of a democratic society. Authority and administration of the courts is in the process of being centralised in the office of the Minister of Justice and Constitutional Development, which undermines judicial independence. Diamond (1999) points out that no constitution in itself can protect the independence of the judiciary if political leaders do not have the “political will and appropriate self restraint”.

Another factor linked to the rule of law is that of accountability. Schlemmer (2005: 8) highlights two varieties of accountability – vertical and horizontal accountability. Vertical accountability, of government to the voters, is obviously weakened by the huge political comfort zone of easy victories for the ANC. Horizontal accountability is the

accountability of government to the monitoring and “watchdog” institutions that are part of constitutional democracy – the judiciary, the auditor general, the ombudsman, and all the various commissions that monitor specific aspects of governance. The requirement of accountability assumes that these officials and institutions are independent of government (Suttner, 2004: 758). The extent to which this lack of accountability and oversight affects the prospects for long-term consolidation will be examined in the following chapter.

Fourthly, there must be in place a state bureaucracy (Linz and Stepan, 1996). To protect the rights of its citizens and to deliver the other basic services that citizens demand, a democratic government needs to be able to exercise effectively its claim to the monopoly of the legitimate use of force in the territory (Linz and Stepan, 1996). Modern democracy, therefore, needs the effective capacity to command, regulate, and extract (i.e. taxes for example) (Mottiar, 2002). Thus, a functioning state and a state bureaucracy that is considered usable by the democratic government is an indispensable condition.

The final supportive condition for a consolidated democracy concerns the economy – an arena that Linz and Stepan (1996) call economic society. Economic society is defined as a set of norms, regulations, policies and institutions that sustain a mixed economy. Linz and Stepan (1996) argue that democracies cannot be consolidated in command economies because a certain degree of market autonomy and ownership diversity is vital to produce an independent and lively civil society. Likewise, democracies cannot be consolidated where completely free market economies are in place. Mottiar (2002) states that the main reason for this being that markets require legally enforced contracts, the issuance of money, regulated standards for weights and measures and the protection of public and private property. Moreover, a democracy that is to be sustainable must produce policies that generate government mandated public goods in the areas of education, health, and transportation, as well as provide an economic safety net for its citizens and some alleviation of gross economic inequality (Przeworski, 1991).

## **2.5. Concluding Remarks**

Thus, these criteria make up the model that this thesis utilises to assess democratic consolidation in South Africa. It is the primary framework along which this analysis is based and will highlight the extent to which South Africa's democracy can be considered consolidated. The supportive conditions for a democracy are essential in this respect, as they become the prerequisites for democratic consolidation to be effected; however the focus here is more on the entrenchment of democratic principles that makes consolidation possible, and whether or not these conditions meet the 'consolidation criteria'.

The criteria allude to the fact that a modern consolidated democracy can be conceived of as being composed of five major inter-relating arenas, each of which, to function properly, has its own primary organising principle (Linz and Stepan, 1996: 13). The interaction between the various arenas is evident. This chapter argues the necessity of each area to function independently as well as in relation to the other areas in order for consolidation to become possible. We reviewed the existing literature on democracy and its consolidation and found that there is no predetermined framework or specific set of criteria by which one can measure democratic consolidation, but rather a wide array of factors that account for democratic consolidation. Linz and Stepan's criteria guide this analysis of South Africa, but where necessary, other measures will be incorporated to fulfil the study, such as the work of Przeworski et al (1996) and Bratton and van de Walle (1997).

The following chapter goes into depth on the institutional design and nature of the political society of South Africa from the inception of democratic rule in 1994 up until present. This is an integral section of this thesis and aims to inform us of the role that institutional qualities play in constructing a democracy and facilitating its consolidation in the future.

## **Chapter Three: Political Society and Institutional Design**

### **3.1. Introduction**

This chapter examines the various institutions and structures that constitutes South Africa's political society since the move away from an authoritarian system of government to a democratic dispensation in 1994. With the constitutional negotiations commencing with the unbanning of the political parties and Nelson Mandela's subsequent release from prison, new structures and institutions had to be established that satisfied the requirements of a democratic system, as well as those of the larger black majority, who were formerly disenfranchised through the institutionalisation of segregation; in the process being excluded from the political sphere and subject to the will of the white political elite.

An Interim Constitution was negotiated by the major political players prior to the 1994 elections – the ANC and NP (with other smaller parties and CONTRALESA) - and came into effect in 1993, until the final Constitution was signed into power in 1997. A parliamentary system of government and a Proportional Representation electoral system was decided upon, as it was best believed that it would provide the fairest representation of interests in the country, given the racial and ethnic diversity that was previously disregarded under the Apartheid regime. Thus, a multi-party system would allow for a wide array of interests to be represented in Parliament, and allow parties to appeal to and attract support from their respective constituencies. The system is almost flawless when it comes to democratic theory; however the problem arises with a dominant party that consistently wins elections, which undercuts the opposition in Parliament, deeming the opposition relatively insignificant. The proportional representation system, with a very low threshold for parties to gain a single seat (the threshold is .25%) has created conditions conducive to a rise in the number of political parties, creating a fragmented and weak opposition. This has implications for democratic consolidation, and the extent to which this state of affairs is being entrenched in South Africa will be analysed taking account of the ANC's rise to power, and the institutions that serve to strengthen prospects for consolidation.

### **3.2. Transition to Democratic Rule in 1994**

The political transition in South Africa is regarded by many as a democratic miracle. The relatively peaceful transition into a nascent democracy laid the foundations for fully democratic institutions to be established in the new order. Kotze (2000: 92) notes that in this process the Apartheid regime – which had effectively merged the ruling regime and state into a single hegemonic unit of social control – was effectively dismantled. In its place a republic has emerged with the characteristics of an autonomous state underwritten by a relatively rigid constitution. This effectively set South Africa on the path of state reform and more importantly delivering the benefits of democracy to the greater majority.

In 1994 South Africa held its first non-racial elections. The holding of such elections enable political parties to exercise legitimate authority and citizens to obtain protection by the rule of law. However, more significantly, the 1994 democratic election ushered South Africa into an era of democracy that set the following key pillars of democratic consolidation in place (Muthien, 2000):

- a functioning multi-party parliamentary system with election processes that are considered to be procedural and substantially free and fair;
- a prevailing sense of constitutionalism and the rule of law, supported by institutions that buttress democracy, including the Constitutional Court, the Human Rights Commission, the Commission on Gender Equality, the Auditor-General, the Public Service Commission and the Public-Protector;
- mechanisms of accountability, such as the Open Democracy Act, which enshrine the right to public information, force government to be more transparent and expose acts of corruption among public officials, grounded on a constitution that enshrines the values of good governance and sound administration in public affairs;
- a professional civil service functioning on the basis of constitutional values, including impartiality, dedication to service delivery and fiscal accountability;
- mechanisms for citizen participation, including public hearings of parliamentary committees and public participation in public policy-making processes;
- an integrated and highly developed economic infrastructure with considerable potential for economic prosperity.

During South Africa's transition to democracy one of the most important developments was the adoption of a new Constitution, Bill of Rights, and electoral system. After two years of negotiations in the Constitutional Assembly, the final Constitution was adopted in 1996 and came into effect during February 1997 (Kotze, 2000: 81). Bawa (2005) outlines the most important details of the Constitution, inter alia, that received the most attention: constitutionally guaranteed press freedom (subject to clauses which prohibit racism); a Bill of Rights that protects the fundamental rights of individuals; judicial review; a guaranteed multi-party system; proportional representation in the electoral system; the regular election of public representatives at all levels of government; and, the establishment of an Ombudsman. However, Kotze (2000: 79) adds that the racial characteristics of the old political system are too deeply ingrained to expect a generally high level of confidence in the new political institutions. This is one of the most prominent obstacles to achieving complete democratic consolidation in South Africa.

The new South African Parliament was one of the most important products of the negotiated transition (Kotze, 2000: 82). Parliament consists of two houses, namely: the National Assembly (NA), consisting of four hundred members, and the National Council of Provinces (NCOP), consisting of ninety members. Issacharoff (2004: 1) explains that the composition of Parliament represents a compromise between the ANC and the NP. Whereas the ANC had initially favoured a unicameral system, the NP proposed a second chamber in which all political parties with a certain percentage of support would have equal representation. The Government of National Unity, of which the two largest parties were members, also represents the compromise made between the ANC and the NP in bringing about peaceful change, but smaller parties were also members. This consociational arrangement lasted for a period of five years. Under this structure, nineteen parties competed in South Africa's first democratic elections in 1994.

With the structural and institutional changes that came with the new democratic order, came the drafting and implementation of new policies that would reverse the effects of Apartheid and address the challenges of socio-economic development through redistribution. Before 1994, the ANC took ownership of the COSATU-designed



Reconstruction and Development Programme (RDP), an ambitious plan for socio-economic transformation and the dismantling of the structure of the 'two nations' society (one black and one white) (Kotze, 2000: 83). However, the plan did not live up to expectations and proved difficult to implement in practice. While the RDP still directs the government's socio-economic planning, the Growth, Employment, and Redistribution (GEAR) plan, launched in 1996, is now regarded as the neo-liberal macro-economic strategy and has surpassed the RDP in feasibility. One of the most important policy measures used to achieve redistribution is that of affirmative action and black empowerment. To date, these measures have been revised with the promulgation of the Broad-Based Black Economic Empowerment Act in 2004 in order to promote greater inclusivity of the disenfranchised black majority.

### **3.3. Institutional Arrangement: South Africa's Parliamentary System**

Following the first democratic elections held in April 1994, South Africa's first Constitutional Assembly had exactly two years, from May 1994, in which to draft a new Constitution that would replace the Interim Constitution (Act No. 200 of 1993) drafted during the negotiation process of the Convention for a Democratic South Africa (Codesa) (Venter 2001: 22). The Interim Constitution acted as the guiding criteria by which the new constitutional text would be measured. On 10 May 1994, South Africa's democratically elected Parliament convened for the first time and President Mandela and his Deputy Presidents (De Klerk and Mbeki) were sworn in, setting the stage for deliberations and negotiations to be underway concerning the new Constitution. The final draft of the Constitution was signed into law in 1996 (Act No. 108 of 1996), signalling the democratic turnaround and success of the 1994 elections.

Parliament is a key institution in a democratic state: it is the place where important public issues are debated openly and freely; it elects the President and can remove the Cabinet from office. However, the most important function of Parliament is to transform the policies of the government of the day into laws (Faure and Lane, 1996: 40). Other functions include: holding the Executive accountable; fulfilling judicial functions relating to its own activities; and considering petitions from members of the public (Venter, 2001:

24). However, the key aspect particularly relevant here, is that of accountability, which impacts on prospects for consolidation in terms of entrenching democratic principles. Every member of Cabinet is held to account on his or her department, through budget votes, question times, and debate sessions. Their performance is evaluated and scrutinised by all the Members of Parliament (MP), which indicates that they are only accountable to their parties and Parliament, and not to the voters. The reason why MP's are accountable to parties and not the voters is because of the proportional list electoral system where there are no constituencies. This has implications for democratic consolidation in that the citizenry are dissatisfied with the operations of Parliament, and thus, creating a barrier between government and the voters.

The authority of government is vested in the three branches of government, namely the Legislature, the Executive, and the Judiciary. Constitutional principle III states: "There shall be a separation of powers between the legislature, executive, and judiciary, with appropriate checks and balances to ensure accountability, responsiveness, and openness" (Venter, 2001: 67). The principle of the separation of powers, the *trias politica*, suggests that each of the functions of government should be assigned to a separate branch of government. The purpose of the separation is to avoid concentrating too much political power in a single person or institution (Faure and Lane, 1996: 28).

While legislative authority is formally vested in Parliament, executive authority in the President, and judicial authority in the Courts, this separation is questionable. For example, the President is elected by the National Assembly. In another case, the Executive, as set out in the present Constitution, has both judicial and legislative powers and is not separated from the legislature (Gasiorowski and Power, 1997: 125). This has recently become the focus of debate in South Africa, with the ANC's increasing efforts to centralise power in the office of the Presidency. This can be seen where the President elects all the Premiers of the provinces by himself, and also has the final decision on the Judges being appointed to the Constitutional Court bench. As a result, the legislative and judicial branches of government are losing independence, which most certainly raises problems for democratic consolidation in the long term. Mbeki has also created task

teams to advise him on different issues such as Foreign Affairs and gender equality. They undermine the executive who should be advising the president. Decision-making, thus, does not subscribe to the democratic principles upon which the transition was based, as power becomes ultimately centralised in the executive branch of government, not to mention that it also violates the Constitutional principle III.

The relationship between the Executive and Parliament is based on English and South African constitutional law traditions (Peceny, 1999: 97). South Africa has an executive President, meaning that the person occupying the office is both the head of state and the head of government, as opposed to some parliamentary systems where these two offices are separated, as in the case of Germany. The Executive is parliamentary, and dependent on the confidence of a majority in the National Assembly, and is thus accountable to that body. It is important to note here that the Executive cannot be deemed a hybrid between “presidential” and “parliamentary” executives, like that of France, where the French President is popularly elected and cannot be removed from office by a vote of no confidence (Venter, 2001: 67). The South African Executive is a formalised, enacted parliamentary Executive. Furthermore, as in Westminster, the President, as well as the cabinet, needs the confidence of Parliament to continue in office. The President cannot dissolve Parliament and call for fresh elections if Parliament loses confidence in the Executive. The President will have no choice but to resign.

Another significant relationship is that between the ruling party in Parliament and its structures outside Parliament. The relationship between the party in the country and the party in Parliament, as far as the ruling ANC is concerned, has evolved during the years since the founding democratic elections of 1994. The National Executive Committee (NEC) of the ANC meets weekly to discuss the general political agenda (Venter, 2001: 75), and has considerable influence on the ANC party as a whole, versus lesser party structures. The NEC is evidently in complete control of the party apparatus and this was clearly illustrated in the 1999 elections. While ANC structures had a say in the drawing up of party lists for the 1999 elections, the NEC through its National List Committee had

the last word on the acceptability of candidates (Issacharoff, 2004: 3). Furthermore, Venter (1998: 75) contends that the ANC-in-government does not have full confidence in the workings of the formal democratic institutions, such as Parliament, the Constitutional Court, the provincial parliaments etc. In the first instance, its leadership emphasises the accountability of ANC politicians to party structures, rather than to ordinary party members and, ultimately, the electorate. This is clear with the various committees that exist inside the ANC, with their respective functions. Thus, the party is deemed more important than the formal structures of government. An example of this can be seen with President Mbeki spending more time at the ANC headquarters in Johannesburg in contrast to the amount of time that he spends in Parliament, where he could be held constitutionally accountable for his rule (Venter, 2001: 76). The ANC's attempts in controlling the whole state apparatus has enhanced its dominant position in the body politic; however, the nature of this rule may impede South Africa's consolidation as a democratic polity, with the erosion of democratic standards in the long-term.

### **3.4. The Electoral System**

South Africa's post-Apartheid electoral system came about as a result of much deliberation and careful consideration of the institutions that would be desirable for the new order when the transition to democracy was effected. Gouws and Mitchell (2005: 354) indicated the prudential need to select a simple, fair, and inclusive voting system for the inaugural election in 1994, given the threats of violence that threatened the outcome of the election at the time. A closed-list proportional representation (PR) system was selected as the best system for South Africa, given a society in transition, and allowed voters to easily pick the party of their choice. Not surprisingly, the smaller parties (including the National Party and the Democratic Party) were all in favour of PR, as it best represented their interests, as opposed to the distorted outcomes a plurality system would offer them. The ANC on the other hand, initially preferred the plurality system when it came out of exile, as it was the simplest avenue to effect majority rule and prevent minority vetoes (Gouws and Mitchell, 2005: 358) but eventually decided on PR in 1990.

The South African electoral system has been used for three elections in 1994, 1999, and 2004. However, problems with regard to accountability have surfaced and have been the main point of contention surrounding the effectiveness of South Africa's electoral system. The elections for the National Assembly and the provincial legislatures are essentially the same and occur simultaneously, with voters casting their votes on two separate ballots: one is a provincial ballot and elects the provincial legislature, while the other elects the National Assembly. The main area of contention has been the fact that PR lessens accountability between representatives and their constituencies (Shubane and Stack, 1999: 4), as alluded to, with representatives being accountable to their parties as opposed to the electorate. This is further compounded by the fact that South African party lists are closed. In terms of consolidation, this has serious implications for the democratic culture of the country. However, on the flip-side of this argument, the closed-list system has had its benefits in reducing discrimination based on race and/or gender. Combined with a commitment, especially from the ANC, to the use of gender quotas for candidate selection – closed list candidate selection has resulted in dramatic improvements in gender representation (Gouws and Mitchell, 2005: 367), especially in the National Assembly. In the 1999 election the ANC boasted a figure of 39% of its candidates being women, as well as a significant amount of them occupying higher positions

The anti-defection clause (prohibiting crossing of the parliamentary floor) has also been criticised and labelled undemocratic. It undermines the principle of representative democracy. Gouws and Mitchell (2005: 361) concisely state that the point of this clause is to ensure that parliamentary seats, which are party allocated, remain with the parties – it does however have the unfortunate effect of producing MP's who toe party lines rather than holding their allegiance to voters. Legislation that was passed in 2001 allowing party defection at a local level in order to facilitate the Democratic Alliance split has signalled the need for this clause to be reviewed, if only to preserve the credibility and integrity of the electoral system for consolidation purposes, and more importantly to maintain the system's proportionality.

The latest floor-crossing in September 2007 produced the result of a total of 250 municipal councillors crossing the floor in this period affecting the composition of 128 municipalities. Twelve new political parties were registered since June this year: Christian Democratic Alliance, Federal Congress, National Alliance, Social Democratic Party, National People's Party, People's Democratic Movement, African People's Convention, New Vision Party, Civic Alliance of South Africa, South African Political Party, Federal African Convention and the Eden Forum (South African Government Information, 2007). These parties had never before tested their support with the voting electorate. In many cases, party members were bribed (financially and in terms of higher positions within the parties) into accepting offers from other parties in return for crossing the floor. This is highly undemocratic and affects the legitimacy of representative and honest democracy.

A central argument in favour of South Africa's PR electoral system for providing a platform for democratic consolidation to occur, is the fact that because of its high proportionality, "barriers to entry for new parties are extremely low, so that even parties that attract only 1 percent of the vote nationally can reliably expect to win three or four seats in Parliament" (Gouws and Mitchell, 2005: 364). This encourages a diverse range of parties to join and contribute to South Africa's multi-party democracy, representing the wide array of interests of the nation. Such a low threshold of inclusion makes a large number of parties very likely. However, in the case of South Africa, only a small number of elective parties are actually effective, due to South Africa's highly concentrated party system. The figure provided by Gouws and Mitchell (2005: 365) is 1.97 of effective parties, meaning that the party system is as fragmented as if it contained exactly 1.97 equal-sized parties. This low figure is primarily a function of the electoral dominance of the ANC, rather than the outcome of the electoral system so to speak, which will be explicated in greater detail in forthcoming sections on the political parties.

Theorists advocate that democracies in transition have different requirements from electoral systems than democracies that are consolidating (Lijphart, 1994; Reynolds, 1997; Elklit, 1996). It is argued that South Africa has successfully drawn its many players

into its democratisation process and has significantly strengthened its ruling party in order to deal with programmes of social and economic reform – what is needed now is for democracy to be seen in motion in terms of public participation (Maloka, 2001: 230). Specialists in the field of electoral systems such as Lijphart (1994), Reynolds (1997), and Elklit (1996) have put forward suggestions that a constituency element be implemented into the South African PR system whereby PR lists at a national level would be combined with either single or multi-member constituencies.

This would introduce a direct accountability element into the South African system while still maintaining its proportionally representative nature, and thus strengthen prospects for democratic consolidation. However, the notion of electoral system reform is not an immediate priority in the case of South Africa, given the success of the last three national elections. As Taagepeera (1998: 68) advises, an electoral system that is chosen should be kept for at least three elections before altering the system completely. Furthermore, he claims that electoral system change is not necessary if the system functions effectively. However, some reform may be necessary to resolve the issue of accountability, or the lack thereof to the voting electorate. Given that South Africa has successfully managed the transition to democracy, facilitated by the PR electoral system, it may be necessary to rectify any discrepancies in the electoral system at an early stage, and rule out any irregularities that may hinder or affect consolidation in the long term. One such irregularity is the legislation that makes provision for floor crossing, in that Members of Parliament may defect to another party in the window period that allows floor crossing to take place. This raises accountability issues and distorts the outcome of elections, in that some parties may unfairly gain extra seats in Parliament, or conversely, they may lose seats, which is not a true reflection of the voting electorate's intentions. This is one aspect of the PR electoral system in South Africa that most certainly needs to be changed, in order to strengthen the credibility of South Africa's democracy in its nascent development.

### **3.5. Elections – 1994; 1999; 2004**

In 1994 South Africa held its first non-racial elections. This historical moment marked the entry of the formerly disenfranchised black majority into the electoral process, and signified a break with the system that saw the vast majority of South Africans being excluded on racial grounds. The elections were deemed substantially 'free and fair' by the Independent Electoral Commission (IEC) despite minor administrative difficulties encountered by the Commission, and thus South Africa was on the path to attaining legitimate representative democracy.

South Africa has held a number of elections to elect its national and provincial representatives in the national elections of 1994, 1999, and 2004. Municipal elections were also held in 1996, 2001, and 2006. The results of these elections are not so much the focus here but rather the implications that this procedure has for democratic consolidation. Shubane and Stack (1999: 5) state that, on their own, elections do not constitute democracy, although they certainly are a core feature of it and without them democracy cannot exist. Furthermore, the frequency with which elections are held does neither suggest that the environment in which the elections are held is democratic. However, it may be fair to say that the continuing institutionalisation of elections in South Africa remains a crucial goal that will, in part, determine the extent to which democratic consolidation is taking place in South Africa. Of course, this process must happen in conjunction with the entrenchment of other key features of democracy, such as the rule of law, freedom of the press and freedom of association.

Viewed from the vantage point of elections, consolidation is proceeding relatively well in South Africa. Not only have all elections been held on time and legitimately carried out, but electoral management has improved as well (Kotze, 2000: 84). The IEC managed the 1999 elections better than it had managed the previous two, and the 2004 elections displayed a marked improvement in management of elections held at all spheres of government. There were however problems at some polling stations where people waited too long in queues to cast their votes, and the results were somewhat delayed. Moreover, in 2006 in the local government elections, the district of Katlahong experienced some



problems, with angry voters threatening the outcome of the elections on election day. The violence was nevertheless contained and the electoral process went ahead in a normal fashion with electoral security on high alert. Notwithstanding, there is no question that, overall, the elections are undergoing better management.

In their measure of democratic consolidation, Gasiorowski and Power (1997: 145) emphasise the importance of whether a new regime survives through the holding of a second election for the national executive (subsequent to the “founding election” that inaugurated polyarchy). The rules of the democratic game require that free elections be the only legitimate method of constituting governments (Valenzuela, 1992), and the successful realisation of a post founding election can be taken as an initial but important sign of commitment to these rules. South Africa has more than sufficiently satisfied these requirements, with the holding of three subsequent general elections. Gasiorowski and Power (1997: 145) further highlight a second measure of democratic consolidation. They point to only those regimes that survived to effect an alternation in executive power, which is defined as an unambiguous change in the partisan composition of the executive branch. South Africa has not experienced an alternation in power since the inaugural elections in 1994, but the ANC party has rather entrenched itself as the ruling dominant party increasing its support base over the years subsequent to the elections.

There are however difficulties with this theory, given the fact that South Africa's vast majority is black, and therefore can arguably be seen as casting their vote along those lines (also due to the fact that no alternative to the ANC exists that appeals to the needs of the black majority). This does not indicate that South Africa's democracy is not consolidating because there is no alternation in executive power - the potential for the alternation of power exists. The racial composition of South Africa needs to be taken into account when evaluating voting trends, and more importantly the legacy of South Africa's past, which no doubt influences voting behaviour among the black majority in the post-Apartheid era. Kotze (2000: 82) observed a voting trend in the 1994 election results, which resembled a racial census, with overwhelming support from the African population for the historically black parties and movements including the ANC, PAC, and IFP.

Similarly, the NP, DP, and FF garnered the majority of white support. In short, the ANC has emerged as the dominant black party with increased support, and not providing any hope for alternation of power in the near future.

In order to illustrate the trend that has developed in the voting patterns of the electorate subsequent to the three national elections, it is necessary to give a brief overview of the political parties that have been the drivers of government. A clear pattern of one-party dominance by the ANC emerged after the 1999 elections. After obtaining 62.7% of the vote in 1994, the ANC went on to secure 66.4% in 1999, and in 2004, a staggering 69.7% of the total votes, giving the party a total of 279 seats in the National Assembly. The NNP obtained 20.4% of the total votes in 1994, making it the official opposition in Parliament, but by 1999 the party's support base had declined to only obtaining 6.9% of the national vote, losing most of its white support base to the Democratic Alliance (DA), who had obtained 9.6% of the total vote, and marginally beating the Inkatha Freedom Party's (IFP) 8.6% of the national vote, which now made the DA the official opposition in the National Assembly. By 2004, the DA had increased its percentage of the vote slightly to 12.4%, but nowhere near the 69.7% achieved by the ANC. The subsequent demise of the NNP prior to the 2004 elections also weakened the cumulative white opposition in Parliament, and strengthening the position of the ANC in government, creating the perfect conditions for a dominant party democracy.

### **3.6. Political Parties in South Africa**

#### **3.6.1. Electoral Dominance of the ANC**

The implications of a dominant party system for the successful consolidation of democracy, has long been an issue of interest amongst political scientists in democracies the world over (Peceny, 1999). In a context in which one party dominates the political landscape and faces little prospect of electoral defeat, then concerns arise surrounding the possibility of declining government response to public opinion: loss of accountability; and the overall erosion of democratic principles and development of authoritarian methods of rule (Brooks, 2004: 1). In South Africa, this is further compounded by the fact that citizens at large still vote according to racial identity, which has subsequently

entrenched the political and electoral dominance of the ANC, which is perceived as the party representing the black majority, and thus, making those sections of the electorate who do not identify with the ruling party politically apathetic. Supporting this notion is that despite the multi-party situation, only one party is so dominant that it directs the political system and is in control of state power over a long duration of time that even opposition parties make little if any dent on the political hegemony of a dominant ruling party (Brooks, 2004: 2). This appears to be the case in South Africa at present at the time of this writing in 2007.

Since the onset of democracy in 1994, South Africa's elections have returned similar levels of support for the major political parties over the nation's three democratic elections as indicated in the previous section. The ANC has progressively increased its support base over 1994, 1999, and 2004, while opposition parties have become less significant. In 1999, the ANC's share of votes rose to 66.4%, which for some commentators, the 1999 election was a "consolidation election" (Southall, 1999: 15). Naturally however, the ANC's increasing dominance has also seen the weakening of the political opposition in Parliament, which became evident in the 1999 election. In 1994, 148 seats were occupied by 6 opposition parties, whereas, in 1999, the opposition only gained 134 seats, this time shared between twice as many parties (Southall, 1999: 15).

The point being made here is that with the increasing electoral dominance of the ANC in Parliament, this has made opposition parties relatively insignificant in the policy process. Gouws and Mitchell (2005) point out that perhaps one indirect effect of the PR electoral system is that it facilitates continuing fragmentation among the opposition parties rather than providing strong incentives to merge. The most significant outcome for the opposition in the 2004 election was the increasing popularity of the DA gaining 12.4% of the votes, as well as the newly created Independent Democrats (ID), gaining 1.7% of the votes in their first election led by Patricia de Lille. However, the diminishing challenge posed by the opposition, and the consummate strengthening of the ruling party's hold over the national political agenda raises crucial questions as to the direction democracy in South Africa will take in the second decade of the country's liberation (Brooks, 2004: 6).

### **3.6.2. The State of Opposition Parties**

Arguably, the greatest problem facing opposition parties in South Africa is the fact that there are a growing number of opposition parties, who are having to share less and less seats in Parliament due to the ANC's formidable strength. Southall (1999) attributes the success of the ANC in limiting the cards that the opposition can play by occupying the 'centre' of the ideological spectrum, housing a diversity of opinions and viewpoints, enabling it to take the sting out of challenges and criticisms that come from the opposition. Campaign strategies used by the DA and UDM which criticised government performance, with regard to service delivery and HIV/AIDS, had largely failed, as the government had already taken note of these issues prior to the election in 2004 (Brooks, 2004: 10).

In this vein, perhaps the more salient issue, therefore, has been opposition failure to present manifestos substantially different to that of the ruling party (Schlemmer, 2004: 7). Parties take similar stances on many major issues, such as macro-economic policy, with the ANC and DA both advocating promotion of economic growth and job creation through investment. For Schrire, the major political parties in South Africa do not vary greatly in ideology but, rather, are broadly 'centrist' – thus presenting no real alternative to the Government of the day (2001: 141). Moreover, the political opposition, rather than compete with the ANC for the African vote, has turned to appealing to those groups outside of the ANC's hold – largely the White, Indian, and Coloured communities. In this light, Brooks (2004: 11) contends that opposition parties have failed to “transcend identity politics”. This is clear from their election strategies targeting minority communities, which has lent credence to Brooke's argument.

The manifestos of many of the smaller parties appeal to too narrow and specific an interest group. The far right-white parties, such as the Afrikaner Vryheidsfront Plus (VF/FF) or Afrikaner EenheidsBeweging (AEB), for example, making demands for a separate Afrikaner nation, have found no real place for themselves in the new South Africa, and both the PAC and Azanian People's Organisation (AZAPO) have seen a

decline in their support base over the years since 1994 (Brooks, 2004: 11). On the other hand although the DA has proven itself to be a largely white party, as many previous white supporters of the NNP have transferred their allegiance to it, it has also garnered support from sections of the wealthier Coloured electorate. The 2004 election campaign also saw the DA attempting to make inroads into the black community. The party has acknowledged that to increase its support base by any significant degree will require attracting the votes of the African majority. However, the past two elections have seen the party make little headway in this regard. For example in 1999, the DA made a major campaign with its 'fight back' slogan – far too easily interpreted as 'fight black' (Lanegran, 1999). Effects of such a campaign are likely to have a detrimental impact on the black majority's perception of the political opposition.

In sum, in terms of the smaller opposition parties, they continue to represent too narrow a policy agenda to appeal to or capture the vote of any significant number of the electorate (Brooks, 2004: 13), and this is where the problems arise for democratic consolidation purposes, as the opposition is not able to significantly challenge the dominance of the ruling ANC. Interestingly though, Spiess (2002) is of the opinion that the ANC's dominance strengthens the prospects of democratic consolidation and is good for both economic growth and in the long term for greater social equality. In contrast, the argument presented here though, indicates that the weakness and fragmentation of the opposition in Parliament has given the ANC increased power, and is thus raising concerns about accountability, and also that genuine multi-party competition is limited even though South Africa is a fully functional liberal democracy. Chapter 5 examines in detail the politics of race in South Africa, which should shed new light on how the nature of voting has become racialised, and hence the threat it poses to achieving long-term consolidation in the context of regular elections.

### **3.7. The Existence of a Legal Culture**

According to O'Donnell (2004: 32), the rule of law is among the essential pillars upon which any high-quality democracy rests. Since the advent of democracy in 1994, the ANC Government embarked on establishing a strong legal culture, in other words, a truly

democratic rule of law that ensured political rights, civil liberties, and mechanisms of accountability which in turn affirmed the political equality of all citizens and constrained potential abuses of state power. Without a vigorous rule of law, defended by an independent judiciary, rights are not safe and the equality and dignity of all citizens are at risk, which subsequently poses threats to equality and freedom, thus indirectly undermining democratic consolidation.

O'Donnell (2004: 32) concisely defines the rule of law as “...the law that exists... [and] is written down and publicly promulgated by an appropriate authority before the events meant to be regulated by it, and is fairly applied by relevant state institutions including the judiciary (though other state institutions can be involved as well)”. Further, the whole state apparatus and its agents are supposed to submit to the rule of law, which facilitates a culture of authority and respect in a democratic society. A legal system that is itself democratic meets the following criteria:

- it upholds the political rights, freedoms, and guarantees of a democratic regime;
- it upholds the civil rights of the whole population; and
- it establishes networks of responsibility and accountability which entail that all public and private agents, including the highest state officials, are subject to appropriate, legally established controls on the lawfulness of their acts (O'Donnell, 2004: 34).

South Africa does indeed have a legal culture; however the extent to which respect for the rule of law is held is not widespread. Gibson and Gouws (1997: 188) note that significant racial differences exist in attitudes towards the rule of law, with White South Africans being more strongly attached to legal universalism.

In a survey questionnaire conducted, Gibson and Gouws (1997) found that there is greatest agreement (56.8%) that one is obliged to follow even those laws passed by an opposition (or illegitimate) government, with over one-half of the respondents supporting the rule of law in this instance. There is nearly as much agreement that expediency is not a sufficient reason for ignoring the rule of law. At the other end of the continuum, 51.2% of the respondents agrees that an emergency justifies suspending the law, and almost a

majority (48.4%) asserts that it is legitimate to manipulate the law. Only 5.9% of the sample expressed support for all rule of law items measured, while 17.0% failed to support any of the rule of law statements (Gibson and Gouws, 1997). We can surmise from these results that respect for the rule of law is not significant in South Africa. High crime rates in the country are also playing its part in undermining the rule of law. Obviously, universal commitment to the rule of law is not essential to democratic governance, but it remains unclear as to how widely law must be revered for a democracy to function effectively and become consolidated.

### **3.7.1. South Africa's Constitutional Machinery**

One of the most important institutions established during the transition to democracy to uphold South Africa's Constitutional democracy and protect the values enshrined in the Constitution was the Constitutional Court. The Constitutional Court was first established by the 1993 Constitution and is the highest court in all constitutional matters (Venter, 2001: 95). The Court has exclusive jurisdiction over certain constitutional matters (Section 167 (4)) such as *inter alia*: disputes between national or provincial organs of state concerning their constitutional status; deciding on the constitutionality of any Bill (or an Act) before Parliament or a provincial legislature; deciding on the constitutionality of amendments to the Constitution. The emphasis here, however is not so much on the workings of the Constitutional Court, but rather the ability of the Court to reinforce and strengthen the democratic culture that South Africa has built up over the years and protect those most treasured democratic principles and values.

In this vein, attention must be drawn to the term *independence*. It must be noted that the Constitution contains various provisions aimed at guaranteeing the independence of the judiciary. That said, the Constitutional Court is functioning effectively and fulfilling its objectives and goals as set out in the Constitution, but the problem arises with interference from the executive, encroaching on the very foundations of independence that the Court was built upon. We refer to Section 165, which guarantees the system of separation of powers. Paragraph 2 states “The courts are independent and subject only to the Constitution and the law, which they must apply impartially and without fear, favour

or prejudice” and paragraph 3 further states “No person or organ of state may interfere with the functioning of the courts”. Klaaren (1996) in a study of the separation of powers in South Africa, points out that although there is no higher law than the Constitution, the President, that is the executive, still enjoys significant independent power. He can for example exercise powers such as procedural veto and appointment of the President and Deputy President of the Constitutional Court. Klaaren (1996) claims therefore that the process by which the Constitutional Court is constituted is firmly placed within the political branches and is “tilted towards the executive”. The question then arises whether or not the Constitutional Court makes its decisions without fear or favour. This, in the long term may impact on the consolidation of South Africa's democracy, given that the executive's powers are extending to the judiciary. This undermines the fundamental notion of the separation of powers which provides checks and balances in government in order to prevent the abuse of power from the different branches of government. In this vein, the executive has been seen to disregard the independence and decision making of the judiciary. This is evident in an instance where the government did not implement a Constitutional Court ruling on the roll out of HIV/AIDS treatment. However, for a lack of space, this cannot be examined in greater detail.

Along with the Constitutional Court, other institutions were also created post-1994 in order to create and enforce a strong legal culture. In order to transform South African society from an oppressive society into an open and democratic society, a mere change in the system of government was never going to be enough. It would be necessary to create a set of credibly independent institutions whose task it would become to strengthen constitutional democracy. These independent institutions would support constitutional democracy because, *inter alia*, it would help (Asmal, 2006):

- restore the credibility of the state and its institutions in the eyes of the majority of its citizens;
- to ensure that democracy flourished in the new dispensation;
- to ensure the successful establishment of and continued respect for the rule of law; and
- to ensure the state became more responsive to the needs of its citizens and more respectful of their rights.



Thus, it became necessary that new independent institutions be established that would be tasked to deal with citizens' complaints as well as look after their concerns, particularly relating to language rights, gender rights, and human rights in general. This was necessary to enhance democracy, as well as to empower the citizens of South Africa. This became the rationale for the establishment and inclusion of the Chapter 9 Institutions in the Constitution. The Constitution made provision for a Public Protector, a Human Rights Commission, a Commission for Gender Equality, an Auditor General, and an Electoral Commission (Asmal, 2006). Later a Commission on the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities was added under the banner of the Chapter 9 Institutions, but due to space constraints the latter two institutions will not be mentioned.

To provide a very brief overview of the mandates of the Chapter 9 Institutions is essential to contextualise the problems pertaining to consolidation that are being elucidated here. The Public Protector, formerly the Office of the Ombudsman, investigates any conduct in state affairs, or in the public administration in any sphere of government, that is alleged or suspected to be improper or to result in any impropriety or prejudice; reports on that conduct; and take appropriate remedial action. The Human Rights Commission promotes respect for human rights and a culture of human rights; promotes the protection, development, and attainment of human rights; and monitors and assesses the observance of human rights in the Republic. Thus, the Human Rights Commission has the power to investigate and report on human rights abuses, as well as secure appropriate redress where human rights have been violated in accordance with the Bill of Rights. The Commission for Gender Equality promotes respect for gender equality and the protection, development and attainment of gender equality. The functions of this Commission includes inter alia, the power to monitor, investigate, research, educate, lobby, advise and report on issues concerning gender equality. Lastly, the Auditor-General must audit and report on the accounts, financial statements and financial management of all national and provincial state departments and administrations; all municipalities; and any other

institution or accounting entity required by national or provincial legislation to be audited by the Auditor-General (Venter, 2001; Gouws, 2005).

In terms of the progress made towards the consolidation of democracy, it was appropriate to evaluate these institutions in light of the promotion and protection of Constitutional rights, values, and principles in South Africa. In addition, holding the Chapter 9 Institutions to account in Parliament confirmed the importance of the independence of these institutions, while also making provision for a more structured oversight role over these institutions by Parliament, and ensuring that the very specific mandates assigned to each body would be effectively and impartially carried out in order to strengthen democracy (Asmal, 2006). It became evident though that the Chapter 9 Institutions have been largely perceived as being dysfunctional, which prompted the Executive to launch a Commission of Inquiry into the efficacy and efficiency of these Institutions. February (2006 *IDASA*) explains that much needs to be done in terms of entrenching the values of our Constitution and strengthening our democratic institutions.... “and it is for this reason that the review of Chapter 9 institutions conducted by an Ad Hoc Committee of Parliament, headed up by Professor Kader Asmal, is important”. This Committee was set up in October 2006 with Asmal being nominated as the Chairperson.

The findings of this inquiry indicated that there is a duplication of roles, a lack of administrative and financial independence and a lack of coordination among these institutions. The duplication of roles is occurring between the Pan South African Language Board and the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (Zvomuya, 2007). Some units of the board were moved to the Department of Arts and culture to remedy this. The two institutions that received the most praise were the Independent Electoral Commission and the Auditor General; however, the latter found that this office does not have the authority to make binding decisions (Zvomuya, 2007). As a result the department must rely on the cooperation of government departments in the implementation of its recommendations.

In a bold move the committee proposed the establishment of a single umbrella body to be called the Commission on Human Rights and Equality (Zvomuya, 2007). This would combine the Commission on Gender Equality and the Human Rights Commission under one body. In addition to improving ease of access this will make parliamentary oversight simpler. The Commission on Gender Equality was found to have a poor understanding of its legal and constitutional mandate and furthermore, that it does not fully appreciate the need to remain independent and act independently from the executive (Zvomuya, 2007). However, with the proposed plan there are some concerns that gender will “get lost” among the plethora of other rights issues. Jody Kollapen, chairperson of the Commission, believes that a single commission will give taxpayers better value for money and allow for the speedy and effective resolution of complaints, as well as providing a one-stop shop for members of the public who are often confused about which body deals with which rights violation (Zvomuya, 2007).

The Human Rights Commission was criticised for not committing enough resources to the rights of children and disabled people. The issue of access to information came under the spotlight and the committee heard that 50% of all requests for information from government departments do not receive a response (Zvomuya, 2007). The HRC was criticised for its “overly timid approach” and encouraged to act more aggressively to subpoena government departments, which do not respond to requests within a “reasonable time” (Zvomuya, 2007).

In the review of the Public Service Commission (PSC), weaknesses identified include the PSC’s unsatisfactory interactions with Parliament and the provincial legislatures, a lack of collaboration with the Chapter 9 institutions and insufficient public awareness of the PSC’s work (Zvomuya, 2007). Finally, the Public protector’s office has been criticised for being partial to the executive and the ANC. Specifically, Mushwana was accused of a “cover up” in his 2005 Oilgate investigation, in which he found no fault with PetroSA’s R15-million advance payment to oil company Imvume, much of which ended up in ANC coffers (Zvomuya, 2007). Perhaps these proposed structural changes to the watchdogs of

our democracy will deliver greater value to the people of South Africa, and serve to reinforce and support our constitutional democracy.

While the institutions have established themselves as important pillars of support for the Constitutional democracy and the values of human rights that imbue our Constitution, they have not always been able to avoid controversy. The fall-out between the Public-Protector, Lawrence Mushwana and his deputy Mamiki Shai is a case in point (February, 2006 *IDASA*). At least two other bodies have also had internal problems, with one Chief Executive being suspended and another resigning, while another has waited over six months for the appointment of its commissioners (Asmal, 2006). This further shows how crucial effective institutional governance is within Chapter 9 institutions.

Over the years, Chapter 9s have experienced a number of problems. Broadly-speaking, it can be said that resource and capacity constraints have inhibited their effectiveness. The interface between these organisations and other institutions of state has also proved an ongoing challenge. In particular, the Chapter 9 institutions tasked with monitoring government action have often bemoaned the fact documentation and records are not always forthcoming from departments (February, 2006 *IDASA*; Gouws, 2006). In 2004, the Human Rights Commission – whose functions include collecting information and reporting on the realisation of economic and social-economic rights noted in a report to Parliament that “the lack of adequate support from government departments in relation to request from the SAHRC remains a constant that, if dealt with, will save the SAHRC cost and time” (February, 2006). It is telling that the Commission has not released an economic and social economic rights report since the fifth such publication in 2002/2003. The Commission on Gender Equality also experiences similar such problems, but mostly structural problems that inhibit efficiency, relating to overlapping and unclear mandates pertaining to the structures within the Commission, problems of communication, problems of accountability, as well as the problem of strategic leadership (Gouws, 2006). The latter is most evident with the lack of a clear feminist agenda for the future, with respect to the articulation of womens' issues in dealing with gender violence and HIV/AIDS infections.

### **3.8. The State Bureaucracy**

In 1994, the new ANC-led government inherited a bureaucratic system that was poorly administered in the Apartheid regime, with many systems broken down, or even disappeared, which meant that structural changes had to be made to enhance public administration in the country. Due to its intense complexity and highly intricate nature, it is virtually impossible to cover all aspects of South Africa's bureaucratic system, but in terms of democratic consolidation, we will give an overview of how the current system either serves to enhance state capacity or whether it undermines it, thus eroding away at democracy as we know it.

South Africa can be regarded as a unitary state with some federal characteristics (Venter, 2001: 125). What this means is that power remains firmly concentrated at the level of central or national government and certain prescribed powers are devolved to provincial and local authorities. In the case of South Africa, nine provinces were created, which were an amalgamation of old homeland governments and new provincial systems established around the transition to democracy. In 1994, these bureaucracies were unevenly resourced and often extremely short of skills (Lodge, 2005: 737). At the time of this writing in 2007 there still seems to be obvious bureaucratic shortcomings, although their performance is uneven rather than altogether bad. In the poorer provinces such as the Eastern Cape and Mpumalanga, public administration suffered the worst, with continuing skills shortages, bad management of resources, and bad strategic leadership. Those provinces that have, since 1994, acquired a reputation for relatively efficient performance of services have been Gauteng, Western Cape, Northern Cape, and the Free State (Lodge, 2005: 739).

Corruption is also a leading problem in the management of the various provinces, with the misappropriation of funds in the various departments as well as financial mismanagement. In an attempt to privatise some of the state's administration, the practice of contracting out the provision of certain kinds of public service: for example, pension pay-outs in most provinces are now administered by private companies several of which

were exposed in 2003 as fraudulent and inefficient (Lodge, 2005: 745). This encapsulates the problems experienced by provinces and municipalities. Although debatable, it is true that when things go administratively wrong in South Africa, more often than not they go wrong in the provinces. Perhaps this serves as the motivating factor behind the ANC's recent motion to reduce the number of provinces in the country in an attempt to create a more centralised structure and 'keep an eye on things' *per se*. This has spurred much controversy. Moreover, this motion lends credence to the notion that Mbeki is bent on increasingly centralising power in the Office of the Presidency giving the executive total control, which undermines the very principles upon which the Constitution was founded, reverting back to authoritarian practices of government. This is ominous for consolidation.

### **3.9. Freedom of the Press**

South Africa's transition to a democratic dispensation has been a relatively smooth transition. However, in comparison to many other African states, much can be said about our success. In fact, one of the hallmark features of our democracy is the existence of an independent free media. The suppression of the independent media and the excessive government control of the public media during the Apartheid years was a certainty, thus hindering the media's functions and normative responsibilities within and towards society. However, South Africa emerged victoriously from the shackles of Apartheid, and with that came the establishment of a free press enabling the media to perform its democratic function within the context of the post-Apartheid, democratic state. Some of the attributes of the South African mass media, which has been categorised under the libertarian system, are the publication and distribution of material, free from censorship or prosecution, as well as the elimination of coercion to publish anything (de Beer, 1998: 20), without any constraints that were characteristic of the old order.

According to the Reporters Without Borders' (RSF) fourth annual global index of freedom of the press, South Africa ranks 31<sup>st</sup> out of 167 countries in 2007 (Reporters Without Borders Annual Report, 2007). As prescribed in the Bill of Rights (Chapter 2 of our Constitution), everyone has the right to freedom of expression, which includes

freedom of the press and other media, as well as the freedom to receive or impart information or ideas. Some of the recent successes of the media in bringing public servants down from power, though amidst accusations of “witch-hunting by the media”, have been the exposes on the Transnet Pension scam, the Arms deal, Travelgate and Oilgate Scandals, which have been brought to the limelight thanks to the media (Thomas, 2007). The media thus acts as a watchdog on the state, and does this for the public, and it should be allowed to serve without any hindrance. This is made provision for in the Freedom of Information Act, as well as the Article 19 of the Universal Declaration of Human Rights to which South Africa subscribes.

However, government is intervening in press freedom in South Africa, for example, firstly, with the action being taken against Mondli Makanya (Editor of the *Sunday Times*) for publishing a high-profile news story, secondly, the government has tried to censor the mail and guardian twice, and thirdly, with the appointment of the latest SABC board where cabinet was told to vote for the candidates without any discussion. Incidentally, the new board members are all Mbeki cronies. This is undermining the freedom of the press in South Africa, which enables it to report independently on issues of national interest.

Much can be said about the agenda-setting function of the media as well as the ownership of the various media, which influences what stories are covered and in what way. However, for our purposes here, we are only interested in how the media may impact on democracy. As long as it keeps the state in check and holds government accountable for its actions, then the principle of media freedom enshrined in the country's Constitution will be upheld. The controversial appointment of the SABC board members is a worrying factor, and will certainly impact on the ability of the institution to perform its watchdog function independently. This further impacts on the political culture that South Africa is trying to foster. This is elaborated on in greater detail in Chapter 5.

### **3.10. Concluding Remarks**

Quite evidently, the pillars in support of a constitutional democracy are firmly in place in South Africa, but some of the institutions and structures that constitute the machinery of

the state have not been able to escape controversy of the workings of some of these institutions. A common problem and recurring theme throughout this chapter is the notion of accountability and its prominence in South African society. If we look at South Africa's chosen institutional arrangement of a Parliamentary system of government, as well as the PR electoral system, it is not difficult to see why issues relating to accountability arise, as discussed. The chosen arrangements makes conditions conducive to accountability issues arising greater than in other systems such as majoritarian systems. To cite an example mentioned, is that of the party member lists being closed to the public, which makes MP's accountable to their parties, as opposed to their constituencies. The voting electorate thus do not have a say in the election of the candidates of their choice but rather of their parties. Furthermore, the floor-crossing debate runs along the same lines of accountability.

In terms of South Africa's constitutional machinery, such as the Constitutional Court and the Chapter 9 institutions, the mandates were designed to protect certain constitutional values and principles. As far as their efficacy is concerned, the bodies are doing mediocre and often unsatisfactory work due to the structural and communication problems and their relations with Parliament, and not because of poorly designed mandates. As a result, they have come under intense scrutiny, which precipitated the launching of an Ad Hoc Committee with its specific mandate to review the work of the Chapter 9 institutions, under the leadership of Kader Asmal. The findings of the Committee propose structural changes to be made in order to increase parliamentary oversight, define clearer mandates and minimise expenses.

Mechanisms need to be put in place to improve closer cooperation and coordination between these institutions and Parliament to which they are accountable to, in order to facilitate greater efficiency through an alignment of strategies. If there is no clear vision of what these institutions are trying to enforce in collaboration with government, then this will result in bureaucratic chaos and eventually erode the principles of democracy.



## **Chapter Four: Socio-Economic Development**

### **4.1. Introduction**

South Africa is a nation with vast economic disparities and a highly unequal distribution of income. However, in spite of abundant resources and a vibrant economy, South Africa still faces an enormous poverty problem. The year 1994 witnessed a successful transition to democratic rule, upon which the South African government set out to transform the economy. The government attempted to alleviate poverty and mitigate its effects through progressively developing and expanding a social welfare system and other programmes such as the Reconstruction and Development Programme (RDP) and the Growth, Employment and Redistribution (GEAR) strategy (Mubangizi and Mubangizi, 2005: 277). The Accelerated and Shared Growth Initiative for South Africa (ASGISA) was implemented shortly thereafter, with a more definite focus on economic growth.

This chapter focuses on socioeconomic aspects and the economic development of South Africa since the 1994 elections and forms an integral part of the multivariate framework used in this study to assess democratic consolidation. The chapter gives an economic overview of the country and how the various economic policies have shaped up in playing a role in firstly, creating conditions for economic growth and secondly, how they have helped combat the poverty epidemic and the problem of unequal development (i.e. income inequality), and whether these are viable policies for driving South Africa into the next decade and the implications for consolidation. Przeworski et al (1996: 40) state that a country's level of economic development has a very strong effect on the probability that democracy will survive. Currently, South Africa's economy is growing annually around the 5% region, with moderate inflation, which lends credence to Przeworski et al's (1996: 40) theory that democracies are more likely to survive when they grow faster than 5% annually than when they grow slower. Thus economic growth is conducive to the survival of democracy.

Conversely, poverty provides a significant obstacle to democratic consolidation. One reason why serious poverty seems to restrain democratic consolidation is that in

profoundly poor countries, the struggle for scarce resources, and the enormous advantages that permanent control of the state may bring to a party, makes democracy very unlikely (Leftwich, 2000: 143). South Africa has a considerably high level of poverty, due to the legacy of Apartheid, and that which authoritarian rule had created. Moreover, poverty is often accompanied by relatively low levels of literacy and formal education, all of which the government are aggressively combating through a series of policies to mitigate the long-term effects these socio-economic ills will have on democratic survival. Leftwich (2000: 145) does however note that poor democracies can survive if their economies do not stagnate or contract. Thus, growth can compensate for poverty; the former remaining a positive feature of South Africa's democracy.

A worrying feature of the post-transition years in South Africa though, is the rising inequality that has become associated with South Africa's democracy. Przeworski et al (1996: 43) found that democracy is more likely to survive in countries where income inequality is declining over time. According to the views of Przeworski et al (1996), South Africa needs to reduce its income inequality in order to ensure democratic survival, and the challenge is to reconcile the vast wealth gap with economic growth, expand employment, and prevent any further pressure on its democratic system. This is discussed in greater depth in forthcoming sections.

In the same vein, the creation of the black middle class has been important in restoring equality to the previously disadvantaged sections of the population, as well as in increasing the skills capacity of the country in order to boost economic growth to its full potential. As a necessary prerequisite for a democracy to become consolidated, the existence of a sizable middle class is important (Bratton and van de Walle, 1997: 237), and thus we examine the extent to which South Africa's black middle class has developed and whether or not policies aimed at achieving this are working. The findings indicate that a black middle class does indeed exist, but more needs to be done to make the middle class more inclusive of the larger majority. The debates surrounding this are elucidated in this chapter.

## **4.2. Existence of an Economic Society**

One of the five specific conditions that ought to prevail before a democracy can be said to be consolidated, as outlined by Linz and Stepan (1996: 11), is the existence of an institutionalised economic society. Economic society is defined as a set of norms, regulations, policies and institutions that sustain a mixed economy. Linz and Stepan (1996: 11) argue that democracies cannot be consolidated in command economies because a certain degree of market autonomy and ownership diversity is vital to produce an independent and lively civil society. Likewise, democracies cannot be consolidated where completely free market economies are in place. The main reason for this being that markets require legally enforced contracts, the issuance of money, regulated standards for weights and measures and the protection of public and private property (Mottiar, 2002: 2). A democracy, in order to be sustainable, must produce policies that generate government mandated public goods in the areas of education, health and transportation and it must also provide an economic safety net for its citizens and some alleviation of gross economic inequality (Linz and Stepan, 1996). Thus, market intervention in consolidated democracies is essential in delivering the basic goods to citizens.

As the next section will show, South Africa does indeed have a functioning economic society. The democratic transition in 1994 saw the ANC government embark on reconstructive programmes and policies that endeavoured to extend and provide greater access to essential services and goods by the large majority, as well as policies that would facilitate the rebuilding of the economy inherited from the Apartheid regime. The extent to which the government has been successful in managing socio-economic development in South Africa has implications for democratic consolidation.

### **4.2.1. Economic Progress since 1994**

At the start of the negotiated transition in 1990, the ANC did not have a clearly formulated economic policy (Seekings and Nattrass, 2005: 346). The Freedom Charter, which had been drafted in 1955 was the ANC's closest approximation of a development strategy. It contained a commitment to redistribution and a strongly interventionist role for the state that included the regulation, control, and outright nationalisation of key

sectors of the economy. However, this vision had evolved from being extremely socialist in character to a more market-friendly vision by 1994, which paid more attention to the needs of business constituencies. Whether this was an adjustment to the realpolitik of the post-communist world, remains uncertain, but it is clear that in 1994 the ANC still seemed committed to a social democratic vision in which the needs of both organised labour and the poor would be addressed, but within a capitalist economic framework (Seekings and Natrass, 2005: 346).

As the new government came to power, new policies that were expected to transform the economy, dealt with issues that would promote job creation, embark on a housing programme, thereby boosting the labour-intensive construction industry, as well as an expanded national public works programme to provide relief for the unemployed (Aliber et al, 2006: 46). These proposals were put forward by the ANC's Macroeconomic Research Group (MERG). These expectations were supported by the ANC's 1994 election manifesto, the Reconstruction and Development Programme (RDP). According to Breytenbach (2006: 180), the COSATU-driven RDP was the most important policy instrument during the Mandela years. The RDP also referred to "basic welfare rights," which apparently embraced "the right to basic needs such as shelter, food, health care, work opportunities, income security and all those aspects that promote the physical, social and emotional wellbeing of all people in our country, with special provision made for those who are unable to provide for themselves because of special problems" (ANC, 1994: 52). This was to be the first major programme in addressing the socio-economic problems in South Africa, as well as promoting major structural adjustment towards a high-wage, high-productive economy.

Unemployment is arguably one of the most pressing social problems facing South Africa today and one of the biggest threats to democratic consolidation. Many institutions called on the state to play a direct role in addressing the unemployment problem through labour-intensive public works programmes. Thus, in 1993, the National Economic Forum, an initiative of trade unions and business created to formulate economic development strategies and now superseded by the National Economic, Development and Labour

Council (NEDLAC), drew up plans for a national public works programme, which would be spearheaded by the new government in 1994. The objective of the programme were set out as follows (Mubangizi and Mubangizi, 2005: 280):

- to create, rehabilitate and maintain physical assets that serve to meet the basic needs of the poor communities and promote broader economic activity;
- to reduce unemployment through the creation of productive jobs;
- to educate and train those on the programme as a means of economic empowerment;
- to build the capacity of communities to manage their own affairs, by strengthening local government and other community-based institutions and generating sustainable economic development.

This programme was conceptualised under the RDP, a populist framework that called for participatory decision-making in development programmes (Mubangizi and Mubangizi, 2005: 280). However, it became clear that with the daunting task of trying to restore order to an economy harmed by sanctions, while also integrating the previously disadvantaged segment of the population into it, the RDP was not a pragmatic solution to the problems the country faced. In addition, firms faced a very difficult macroeconomic environment in the 1990's. Instead of injecting demand into the economy, the new government was forced to deal with high levels of government debt and an explosive budget deficit, both legacies in large part of the profligate final years of the old Apartheid government (Seekings and Nattrass, 2005: 349). Once the debt situation had been brought under control, this macroeconomic stance was codified into the so-called Growth, Employment, and Redistribution strategy (GEAR), as the RDP had not made much difference to growth and inequality reduction. This strategy effectively sidelined the RDP and committed the government to more orthodox fiscal policies. Thus, the macroeconomic environment within which the public works programme operated had changed from a being essentially Marxist (RDP) to a more Capitalist and conservative one (GEAR).

While Mbeki was still Deputy President, the government had RDP replaced by the GEAR policy in 1997 (Breytenbach, 2006: 181), and was introduced by the Finance Minister

Trevor Manuel in 1996. Seekings and Natrass (2005: 350) point out that the gamble taken by the Ministry of Finance was that this stance would encourage investment by sending a signal to investors that government finances would be “responsible”, considering the absence of inflationary deficit financing. Mbeki was central to this shift. GEAR was a conservative macroeconomic framework to cover 1996-2000, typical of 'neo-liberal' policies in the capitalist world. This brought him in direct confrontation with the trade union movements in South Africa, especially the ANC's tripartite ally, COSATU, on the issue of privatisation. Nevertheless, this policy shift demonstrated the government's commitment to open markets, privatisation and a favourable investment climate (Breytenbach, 2006: 180), and the pro-investment climate is precisely what the GEAR modellers had hoped to create.

In the same vein, the GEAR policy set government the ambitious goals of achieving sustained annual real GDP growth of 6% or more by the year 2000, while creating 400,000 new jobs each year (Aliber et al, 2006: 48). The policy was meant to increase investment, especially Foreign Direct Investment (FDI), in the country to help achieve these ambitious goals. Since the adoption of GEAR in 1996, the South African government has successfully reduced its fiscal deficit and contained inflation, albeit by means of raising interest rates.

However, the outcomes of GEAR have been mixed. It brought greater financial discipline and macroeconomic stability but largely failed to deliver in key areas. Formal employment continued to decline, and despite the ongoing effects of black empowerment and signs of a fledgling black middle class and social mobility, the country's wealth remained unevenly distributed along racial lines (*The Economist*, 2007: 33). The desperately needed FDI also remained elusive, and consequently the ambitious economic growth targets were never realised. However, momentum picked up in the years following GEAR's inception. Breytenbach (2006: 181) writes that Mbeki's policies did produce growth (about 4% average), albeit insufficient to stimulate employment growth. In 2005, unemployment was slightly down, but still stood at 26.7%. Empowerment may therefore be necessary for transformation but not sufficient for poverty reduction. This is

where the new emphasis on poverty relief and partnership in the post-2004 election phase become crucial (Breytenbach, 2006: 181).

Seekings and Natrass (2005: 350) contend that any assessment of GEAR is complicated by the fact that large parts of the strategy were never implemented. Only two of its four major components were implemented by 2004: the reduced budget deficit and trade liberalisation. One of the key pillars of the GEAR macroeconomic strategy was to reduce the fiscal deficit, which had reached over 9% of GDP during the 1993/4 fiscal year. The deficit has remained below 3% since the implementation of the reforms, greatly improving South Africa's fiscal health. However, in terms of the other major component of the strategy – labour market reforms – this lacked implementation. Before GEAR was introduced, the government had enacted the new Labour Relations Act, and following GEAR, the government had introduced the 1997 Basic Conditions of Employment Act – both of which were in contrast with the vision of a more flexible labour market set out in GEAR (Seekings and Natrass, 2005: 350). Failure to coordinate fiscal, monetary, and labour-market policy is one of the many reasons for the decline in employment (Seekings and Natrass, 2005: 350).

Arguably, the failure of GEAR precipitated policy makers to re-strategise and formulate policy that would address unemployment in a more pragmatic way and focus on attracting foreign investment within a solid economic infrastructure. Hence, the South African government's ASGISA plan, launched by President Thabo Mbeki in 2005 and headed by new Deputy President Phumzile Mlambo-Nguka. This policy was effectively to enhance GEAR and aims to guide and improve on the country's remarkable economic recovery since the removal of the crippling policies of Apartheid (The Economist, 2007: 33). Furthermore, its primary aim is to halve unemployment and poverty by 2014 – 10 years after the policy was first set out in 2004, and 20 years after South Africa's first democratic elections in 1994 (Mlambo-Nguka, 2007).

An important principle of ASGISA is that economic growth must be sustainable and it must be shared among all South Africans. This comes from a recognition that recent

growth, while welcome, has been unbalanced in two important ways (The Economist, 2007). First, the combined effect of all the drivers of South Africa's growth has been to strengthen the country's currency, making it difficult for exporters outside the commodity sector or those who compete with imports to stay competitive. That led to a trade deficit of nearly 4.5% of GDP in 2005, which demonstrated South Africa's difficulties in competing in more than raw commodities. Another risk of rapid growth is a widening of the gap between rich and poor (Mlambo-Nguka, 2007). While the social grants programme has made radical inroads into reducing poverty and redistributing income, a third of South Africa's people are yet to benefit. As long as a significant proportion of the population is excluded from the mainstream economy, South Africa's potential for future growth will be seriously obstructed. ASGISA seeks to address this problem directly.

Six binding constraints were identified : the relative volatility of the currency; the cost, efficiency, and capacity of the national logistics system; shortages of suitably skilled labour; limited competition and new investment opportunities; the regulatory environment and the burden on small and medium businesses; deficiencies in state organisation, capacity, and leadership (Mlambo-Nguka, 2007). The term “binding constraints” was used because if these constraints were removed, it would undoubtedly have a significant effect on a country's growth trajectory. These constraints allowed for greater clarity on the goals in sight and how these were going to be addressed by government.

However, the launch of ASGISA has not come without opposition. Much of the criticism levelled against the policy is due to the fact that it prioritises growth over redistribution, with economic growth being the primary motivator. As far as the unions are concerned, neither the government's GEAR policy nor ASGISA is capable of producing desired job creation and "social equity", both are based on supply side redistribution through growth or "trickle-down" concepts (Bell, 2006). GEAR replaced the RDP, which was based on redistribution leading to economic growth, with the trickle-down theory of growth leading to redistribution (Bell, 2006). Alan Hirsch, the chief director of economic policy in the Presidency, admitted on radio that “the faster we grow, the more jobs we can



create”. However, growth in and of itself is no panacea for poverty: it only helps the poor if they share in it. The perception that ASGISA is a growth strategy to enrich the further needs to be dispelled with a greater emphasis on bridging the income divide by addressing the issue of income inequality in South Africa and greater efforts to eliminate the second economy<sup>1</sup>.

### **4.3. Income Inequality in South Africa**

Apartheid policies of systematic racial discrimination and segregation had a deep and enduring influence on inequality in South Africa (Seekings and Natrass, 2005: 49). The Apartheid system provided health, education, and other services to the white minority at the expense of the black population. Moreover, the system entrenched labour market policies of job reservation, influx control and other discriminatory legislation such as the Group Areas Act (Mubangizi and Mubangizi, 2005: 278). These ensured little competition from other race groups. In addition, Apartheid was largely responsible for the unequal distribution of resources (land, minerals and capital) resulting in the relegation of a large sector of the population to menial and poorly paid jobs. The restrictive policies of the past prevented many South Africans from moving upward within the labour market, leading to a highly skewed income distribution, which was in turn reinforced by an unequal distribution of skills and training (Aliber et al, 2006).

Apartheid had ensured that many black households remained in deep poverty. In 1994 there were some working poor – especially workers in the agricultural and domestic sectors – but most people were poor because they or their prospective breadwinners were unemployed. Apartheid-era policies had restricted formal- and informal-sector job creation, especially for the unskilled, and destroyed subsistence agriculture while denying many of the poorest South Africans the human or social capital needed to escape from poverty (Seekings and Natrass, 2005: 301). This provided the greatest challenge for the ANC government in eradicating this legacy of institutionalised underdevelopment that would determine the future success of South Africa's transition to democracy.

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<sup>1</sup> The notion of the second economy derives from the racially divided nature of South Africa's economy. This dualism is discussed in more depth in pages 65 and 66 of this chapter.

What is striking about inequality in South Africa in the decade following the end of Apartheid is the number of continuities from the preceding decade. The changes that took place were the continuations of changes that were evident before 1994. There continued to be rapid upward mobility into the upper classes and income deciles by black South Africans, and urban workers benefited from rising wages (Bhorat and Cassim, 2004: 7). But unemployment grew, the informal and agricultural sectors remained stagnant, and the ranks of the poor swelled. Income inequality showed no signs of decrease; in fact it worsened in the years following the democratic transition.

As alluded to, the government introduced a series of policies that were aimed primarily at creating an environment conducive to growth through a series of market-friendly economic policies that have contributed to the increasing efficiency and productivity of the economy. It is, however, a well-known fact that we cannot rely simply on growth alone to reduce poverty and inequality (May and Meth, 2007: 272). Furthermore, besides the social and political instability that the existence of extreme wealth alongside poverty brings, sufficient evidence exists to argue that the level of inequality in South Africa may dampen the country's economic growth rate (Bruno et al, 1996: 11). In this vein, it is thus pertinent that the issue of inequality be directly addressed for purposes of economic growth, as well as to eliminate the threat that it poses to South Africa consolidating its democracy.

The vast economic disparities that exist within South Africa is gauged by the Gini coefficient. The Gini coefficient, which measures the degree of inequality, serves as the starkest indicator of South Africa's unequal distribution of income and wellbeing (Mubangizi and Mubangizi, 2005: 277). The Gini coefficient always has a value between zero and one. The larger the number, the higher the level of inequality within the given distribution. The 1996 World Development Report lists South Africa's Gini coefficient at 0.58 (May, 2000: 26). This clearly indicates a highly skewed distribution of income. The development problem of South Africa, described more than a decade ago as “poverty

amidst plenty” (Nattrass, 1983: 12), thus remains appropriate to post-Apartheid South Africa, and is a highly undesirable situation for any young democracy.

In 2003, President Thabo Mbeki refocused the debate around the stubborn persistence of poverty and underdevelopment in South Africa, when he reintroduced the concept of the two economies into the policy discussion. This followed from his famous “two nations” speech in Parliament in 1998 where he emphasised the priority of challenging the racially divided nature of South African society, adding that South Africa comprised “two nations, the one black and the other white”:

“One of these nations is white, relatively prosperous.... with ready access to a developed economic, physical, educational, communication and other infrastructure. The second and larger nation of South Africa is black and poor...with grossly underdeveloped economic, physical, educational, communication and other infrastructure” (Hansard, 29 May 1998, col. 3378).

This question of dualism was revisited during 2004, and has been referred to as depicting the characteristics of a ‘First’ and a ‘Second’ economy plagued by the dynamics of uneven development (May and Meth, 2007: 271). The first is described as the modern industrial, mining, agricultural, financial, and services sector of the economy that, every day, becomes ever more integrated in the global economy. It is this sector of our economy that produces the wealth (Mbeki, 2003). The second constitutes the structural manifestation of poverty, underdevelopment and marginalisation in the country (Mbeki, 2004). However, Aliber et al (2006: 45) challenge the very existence of the two economies by asking “Why, if the origins of economic dualism are rooted in the system of cheap forced, migrant labour introduced with the beginnings of the mining industry and reinforced during Apartheid, does dualism persist under democracy when all the relevant laws and many of the practices of the past have been abolished?” This has been largely attributed to South Africa's history since imperialism and colonialism, and decades of deep-seated inequalities (institutionalised by Apartheid) that have become entrenched in South African society. As Aliber et al (2006: 47) explain, the breakdown of Apartheid did not immediately translate into improved material conditions for the majority of South Africans... “three hundred years of colonialism, and fifty years of

internal colonialism, had hard-wired a duality into the system, whereby two domains coexisted: on the one hand, a globally integrated world of production, exchange and consumption and, on the other, a constrained world of informality, poverty and marginalisation”. The dual nature of South Africa's economy certainly poses a threat to national unity, but more importantly to the consolidation of South Africa's nascent democracy.

Eliminating the second economy thus became an important feature of ASGISA. Without interventions directly addressed at reducing South Africa's historical inequalities, growth is unsustainable. Moreover, interventions to address deep-seated inequalities and that target the marginalised poor are interventions to bridge the gap with the second economy, ultimately eliminating the second economy (Mlambo-Nguka, 2007). One of the key mechanisms in response to the second economy challenges is to use the leverage of the first economy to address the second economy. Examples of this in ASGISA is to leverage the increased levels of public expenditure, especially investment expenditure, to develop small businesses and broad based empowerment (Mlambo-Nguka, 2007). The ultimate goal is to realign the two economies to enable greater sustained economic growth, and not growth at the expense of the marginalised poor.

#### **4.3.1. Per Capita Income**

For a country as concerned about income distribution as South Africa is, there is remarkably little national statistical information on household incomes. There are the national accounts, the 1995 and 2000 Income and Expenditure Surveys and the 1996 and 2001 Population Censuses. However, these sources have limitations. Du Toit (1995: 310) highlights the stark inequalities in terms of the distribution of income by race among the people of South Africa in the decades preceding the transition to democracy. Up to 1970, whites received more than 70% of total personal income. This must be considered against the background of their numerical minority status, which decreased further as the century progressed (Du Toit, 1995: 310). In 1911 Africans numbered about 4 million, the Whites 1.2 million, Coloureds 0.5 million and Indians about 150 000. By 1970 Africans were just over 15 million, whites 3.7 million, Coloureds slightly over 2 million and Indians about

600 000 (Du Toit, 1995: 311). The table below illustrates the resulting distribution of income by race, being highly unequal in nature.

**Table 4.1**  
**Racial shares of total personal income (percentages)**

|           | <b>1924/25</b> | <b>1946/47</b> | <b>1960</b> | <b>1970</b> | <b>1980</b> |
|-----------|----------------|----------------|-------------|-------------|-------------|
| Whites    | 75             | 71.3           | 71.2        | 71.9        | 59.9        |
| Africans  | 18             | 22.2           | 21.4        | 19.3        | 29.1        |
| Coloureds | 5              | 4.5            | 5.5         | 6.5         | 7.6         |
| Indians   | 2              | 2              | 1.9         | 2.3         | 3.4         |

(Lipton, 1986: 408)

In contrast to this background, according to the global Human Development Report for 1998, South Africa enjoys one of the highest human development ratings among sub-Saharan African countries (Fields et al, 2003: 30). In terms of economic performance measured through per capita income South Africa occupies the 80th position. However, South Africa has been far less successful in translating economic performance into effective improvements in human development for almost all of its people. The poorest 20% of South Africans are estimated to have an income of \$ 516 per year (real GDP per capita); the wealthiest 20% of South Africans have an estimated real per capita income of \$ 9,897 (Leatt, 2006: 28). Furthermore, calculations per income group showed that, in 2003, the top 20 % of households received almost 65% of the income, indicating the skewness of the distribution of income in South Africa. Clearly, there are significant advances to be made in human development through more equitable, efficient and effective utilisation of available resources within South Africa.

#### **4.4. Economic Growth**

The South African economy has experienced rapid growth since achieving democracy in 1994. Key sectors within the South African economy are the financial services sector, manufacturing and agriculture. South Africa's exports have more than tripled since 1994, and manufacturing has grown by 5.4 per cent in 2002 (The Economist, 2004: 54). South

Africa's economy has been in an upward phase of the business cycle since September 1999 - the longest period of economic expansion in the country's recorded history.

During this upswing - from September 1999 through to June 2005 - the annual economic growth rate averaged 3.5% as opposed to pre-1994 where economic growth averaged less than 1% a year (South African Government Information, 2006). According to the South African Reserve Bank, there is no sign of this period of expansion coming to an end. Gross domestic product (GDP) growth was running at an annualised 4.8% in the second quarter of 2005 (compared to 3.7% in 2004 and 2.8% in 2003) (Bell, 2007). Growth has thus stabilised around 5% achieving a high level of macroeconomic stability for the country.

#### **4.4.1. Gross Domestic Product**

Real GDP is the best indicator of economic growth in a country. The year 2006 yielded an annual growth rate of 5% in real GDP at market prices. The corresponding increases for the respective quarters of 2007 to date have been 4.5 percent in the second quarter of 2007 following an increase of 4.7 percent in the first quarter of 2007.

#### **4.4.2. Inflation**

During recent years, remarkable progress has been made in lowering South Africa's inflation rate to levels more consistent with those of its main trading partners. Overall consumer price inflation decelerated markedly from a high of 9,2% in 2002; to 5,8% in 2003; 1,4% in 2004; and 3,4% in 2005 – the lowest rate of increase since 1962 (South African Government Information, 2006). Also, the rate of increase in the consumer price index, less mortgage interest cost (CPIX), decelerated to within the inflation target range of 3% to 6% in the 30 consecutive months to February 2006 (Bell, 2007).

During the recent period, price inflation dropped, mainly due to the substantial appreciation in the exchange rate of the Rand since the second half of 2002. Additional factors which helped reduce inflationary pressures were (South African Government Information, 2006): the consistent application of prudent fiscal and monetary policies and

low increases in food prices over an extended period a progressive deceleration in inflation expectations.

Mboweni, the Governor of the South African Reserve Bank, stated at a conference this year that South Africa's economy was currently growing above potential, which was adding to underlying inflation..."Our potential output is 4.5% a year but we are already growing at 5%. That is far above potential and that is why we have inflation. Our growth is inflationary" (Bell, 2007). Thus, interest rates are the tool to tame generalised inflation in order to adhere to the Reserve bank's mandate of keeping inflation within target. The Reserve Bank raised its repo rate by 50 basis points to 10% in August 2007, bringing hikes to three percentage points since June 2006 as it tackles inflation above its 3% to 6% target range, and high consumer spending (Bell, 2007). The most recent interest rate hike occurred in October 2007 bringing the repo rate to a staggering 14.5%.

#### **4.4.3. Standard of living**

The general standards of living tend to be very low for the majority of people in developing nations (Motloun and Mears, 2002: 531). These low standards of living are manifested in the form of low incomes, poor health, limited or no education and, in many cases, a general sense of malaise and hopelessness. Although the transition to democracy in 1994 in South Africa made great strides in recognising the value of human dignity (in terms of black South Africans) and restoring freedom, the economic situation of the majority had remained largely unaffected. Everatt (2006: 76) notes that poverty levels in South Africa had remained constant or worsened since the advent of democracy. Clearly, poverty is a defining characteristic of South Africa, and has clear racial, gender and spatial dimensions, as Mbeki categorically stated in his 'two nations' speech. Across the myriad definitions used to measure poverty, there is one common finding: "the majority of black South Africans exist below any acceptable minimum poverty line" (Everatt, 2006: 77).

Poverty has a spatial dimension: just less than half of the South African population lives in rural areas, as does 72% of South Africa's poor. Poverty is also gendered: the poverty

rate among female-headed households (60%) is double that of male-headed households. And finally, poverty has a stark racial dimension: 61% of Africans were poor in 1996 compared with just 1% of whites (*Transforming the Present*, 2002: 104-105). These statistics indicate that the standard of living among the majority is unacceptable, and ironically has been worsened with the coming of democracy.

Motloun and Mears (2002: 533) draw on the subculture theory to explain how low standards of living are fostered. The theory explains poverty as a culture or, more accurately, a subculture, which is passed from generation to generation along the family lines. This theory argues that once a subculture of poverty comes into existence, it tends to perpetuate itself from generation to generation because of its effects on children. Such an environment fosters a sense of hopelessness and despair. This may certainly be a substantial contributor in the case of South Africa. From this, it is clear that if a person's income can be raised or, their productivity increased, their standard of living will move along the same path.

In contrast to the general data on poverty, Mbeki indicated in his weekly online letter that a section of the black population has become more affluent during recent years and that their expenditure patterns are tending more towards those of middle and higher income groups (*ANC Today*, 2002). There is absolutely no doubt that the standard of living of this majority has also improved. The government initiatives to which he refers include free health care, the school feeding scheme, higher social grants, including pensions, provision of houses without charge, free basic services, the land redistribution programme, the provision of goods and services such as water, electricity, telephones, allocation of funds for poverty and indigent relief, and support for small business (*ANC Today*, 2002). However, this section of the black majority that are benefiting are an elite group, as opposed to improving the standard of living of all the people in the country.



#### **4.5. The Existence and Growth of a Black Middle Class**

Since 1994 the government embarked upon a comprehensive programme to provide a legislative framework for the transformation of the South African economy. This imperative stemmed from the need to undo the inequalities associated with the Apartheid era given that Apartheid systematically and purposefully restricted the majority of South Africans from meaningful participation in the economy. Black Economic Empowerment (BEE) became the mechanism through which this could be achieved. Furthermore, with the adoption of the GEAR strategy in 1996 it was hoped that it would spur on the development of a rising black capitalist class, assisted by BEE initiatives, which was central to Mbeki's vision for a more productive economy (Banda et al, 2003).

In order to build a black middle class, the government needed to deracialise business ownership and control, which became a central objective of the government's RDP plan (Mbabane, 2003). One of the primary ways in which government sought to obliterate the racial economy, was with the introduction of the affirmative action policy, the Employment Equity Act of 1998, which was to be the embryo of black economic empowerment. Waddy (2004) defines affirmative action, at its core, as a process with a remarkably simple purpose: to correct past injustices by providing extra opportunities for previously oppressed and disadvantaged groups to advance in society mainly, but not exclusively, in economic terms. The Employment Equity Act laid down laws against unfair discrimination in the recruitment process, as well as providing new economic opportunities to historically disadvantaged persons.

In an effort to promote change, the Employment Equity Act aims not to impose quotas but to ensure that "designated employers" – those in the private sector that employ over 50 people or have a turnover above a certain threshold – should attain "demographic proportionality" (black Africans make up some 70% of the workforce, women 45% and the disabled perhaps 5%) (*The Economist*, 2001). These programs, of course, have been subjected to intense criticism in South Africa. Thus, almost inevitably, they have been criticised for their ineffectiveness and/or unfairness (Waddy, 2004).

Black people constitute about 75% of South Africa's 46 million population. Statistics from the Human Sciences Research Council (HSRC) show that the black middle class, which stood at 3.3% of the total population in 1994, has swelled to 7.8% today (Nyanto, 2006: 28). Although a black middle class is slowly emerging, barely 4% of the Johannesburg stock exchange is black-owned, half its peak in 1998 (*The Economist*, 2001). Under apartheid, the development of a black middle class was deliberately stunted, as blacks were precluded by legislation from owning shares or property in suburbs exclusively reserved for whites and had limited access to bank credit. Today, the growth of the black middle class has been attributed to better education and government affirmative action policies. But the main worry is that, because black empowerment is politically-driven, and because many of its beneficiaries have close connections to the ANC, the present strategy will develop into "crony capitalism" (Nyanto, 2006: 28-29). The fact that BEE appears only to be benefiting an elite male sector of the black population as opposed to the larger majority is one of the main criticisms levelled against the government's BEE programme. Thus, the black middle class remains ever more elusive, with the proportion of blacks in the middle class ranging from 22% to 40%.

Subsequently, the government released the Strategy for Broad-Based Black Economic Empowerment (BBBEE) in March 2003, which draws together the various elements of government's transformation programme in a more coherent and focused way. The BEE Bill was introduced into Parliament in 2003 and was amended to become more "broad-based", and later went on to become an Act. It would define BEE and establish the appropriate institutional structures, as the substantial increase in the levels of participation by black people in economic activities could not be achieved if left to the market alone (ANC, 2003). It is "broad-based" in the true sense of the word, singling out women (particularly black women), disabled people, youth and rural communities as specific target groups for BEE projects and ventures (Mbabane, 2003). This way the Act even surpasses the Employment Equity Act in its scope because the former is more inclusive and deals with a larger scale of designated groups (blacks, coloureds, Indians, women and the disabled).

The end of apartheid has not freed most blacks from poverty. It has freed a small well-educated minority (*The Economist*, 1996: 44). Rostron (2004: 16) however concedes to this saying that the president is deliberately working to create an iconic black business elite in the hope that this will improve the relationship between his government and the corporate world, extend the ANC's influence outside politics, and help win more investment in South Africa. What the president is not taking into account though is that by creating a few truly rich blacks will not eradicate inequality in the long run. The legislation needs to ensure that black economic empowerment trickles down to small businesses and benefits ordinary people, rather than just a few high-profile businessmen. This has been the major criticism of South Africa's black economic empowerment programme.

Evidently, the black middle class in South Africa is on the rise; although it is not being effected at the pace at which the government had anticipated. This poses problems for economic growth and indirectly for democracy, as the majority of the population do not constitute a significant proportion of the country's middle class. It is nevertheless a good sign that the black middle class does indeed exist and is slowly developing. If consolidation is to take root, government policies of black economic empowerment need to generate far-reaching economic empowerment as opposed to the creation of a minority black business elite, which does nothing more than enrich a few, whilst neglecting the greater majority and consequently hindering the country's potential growth rate.

#### **4.6. Concluding Remarks**

The regime change in 1994 to a democratic dispensation signaled the beginning of a new era that would rectify past imbalances and inequalities and embark on a process of systematic reform in all aspects of South African society. Thus, the stage was set for South Africa to begin consolidating its democracy after the successful transition. One of the biggest challenges presented to the new ANC government was to be the restoration and rebuilding of South Africa's desperately fragile economy, which they had inherited from the Apartheid regime. Economic growth was thus a key instrument that would become a useful measure of the success of South Africa's democracy in the years

following the democratic transition. The state of South Africa's economic society in general is important in creating the conditions conducive to the consolidation of its democracy.

Also in terms of economic reform, the issue of the racial composition of the labour market and the elusive black middle class is an important aspect in fostering greater equality in the workforce and expanding economic growth. This precipitated the ANC government in 1994 to institutionalise black economic empowerment through employment equity and affirmative action programmes aimed at facilitating the greater integration of black people into the workforce, and with the long term objective of building a black middle class. The state of the black middle class was debated, with the final thought being given to the fact that in order for consolidation to be effected, economic empowerment needs to spread to the majority of black people, as opposed to the enrichment of a few elites.

Economic policy adopted by the ANC government served to rebuild South Africa's economy, as well as to reintegrate it into the global economy after global sanctions had harmed South Africa's economy during the Apartheid years. The largely criticised RDP plan was replaced by the GEAR policy, which was later reconceptualised and enforced by the ASGISA strategy. The latter two are somewhat more neoliberal in nature than the initial RDP policy, with greater emphasis being placed on economic growth, and prospects of job creation and poverty relief stemming from the primary objective of growth. Although these policies have raised much controversy with respect to prioritising economic growth over poverty and unemployment eradication, South Africa's economy is evidently more successful than ever compared to the pre-democratic years. The challenge in consolidating its democracy from here on will be striking the right balance between economic growth for the country (in terms of strengthening trade and economic agreements internationally) and measures to reduce the burden that poverty and unemployment place on South Africa's economy in order for all to benefit from South Africa's success as a newly democratic country and to reduce the gap between rich and poor.

## **Chapter Five: Social Factors**

### **5.1. Introduction**

South Africa is a multiethnic society that emerged from Apartheid with race playing its part in all aspects of society. This stigma needed to be overcome in order for society to develop and progress as a newly democratic country, and eventually become consolidated. As this next section will illustrate, race is a problematic factor in the South African society in terms of nation building and unity, as well as in determining support for political parties, in terms of voting patterns among ethnic groups.

The existence of a strong independent civil society is one of the hallmarks of a consolidated democratic regime. South Africa has made leaps and strides regarding the development of independent organisations and associations that comprise civil society since the transition to democracy in 1994. This is explored in depth in the relevant section. Finally, the existence of democratic norms, ideas, and values are important in fostering a democratic political culture. This is our final factor to be examined as part of the criteria developed by Linz and Stepan (1996) used in this thesis to determine whether South Africa's democracy can be considered consolidated. The link between political culture and democracy is evident, and we make use of political tolerance and trust as two indicators to measure the political culture in South Africa.

### **5.2. Cleavage Structures**

#### **5.2.1. Ethnic diversity**

South Africa has a heterogeneous population composition consisting of Bantu-speaking ethnic groups who constitute the majority, people of European extraction (i.e. Afrikaners, English-speakers, Portuguese and Germans), Coloureds, Khoi, San, and Asians such as Indians, Chinese and Japanese (De Beer, 2001:108). To unite heterogeneous populations, governments have used various methods and strategies including political engineering in their nation-building programmes (De Beer, 2006: 105), in order to recognise ethnic and cultural diversity, while at the same time integrating all ethnic groups under a national banner in striving for national unity.

The 1994 democratic elections that brought Nelson Mandela and the ANC to power signified the beginning of the country's nation-building programme, and an era that would become synonymous with nation building and reconciliation. As Breytenbach (2006: 179) aptly states, "Nelson Mandela's major legacy as President is that of national reconciliation, and this was accomplished through inclusivity in nation building and corporatist rulemaking". However, the price paid was that of the absence of effective governance (Van Zyl Slabbert, 1999: 211). The issue of leadership is however a topic that is vast, and for the purposes of this thesis it will not be examined in detail. The focus here rather lies with the policies adopted aimed at embracing ethnic diversity through nation building.

Multiculturalism as a term is used in three distinct senses: as a description of the state of cultural diversity in a society, as an ideology aimed at legitimising the incorporation of ethnic diversity in the general structure of society, or as public policy designed to create national unity in ethnic diversity (Bekker and Leilde, 2004: 120). After pervasive political violence during the late apartheid years which were deeply marked by racial and ethnic cleavages, the South African Government developed a policy akin to multiculturalism, whereby all legislation would serve to embrace the multicultural nature of South African society and accommodate all groups. Bekker and Leilde (2004) found that this approach has certainly had a measure of success in the new South Africa.

The 1996 South African Constitution is an important document in this regard, primarily because it has institutionalised a number of pertinent constitutional provisions that serve to reinforce multiculturalism and protect ethnic groups from unjust abuse. A number of institutions – cooperative government, the National Council of Provinces, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities, and the Pan South African Language Board – have been established to protect minority interests (De Beer, 2006). Moreover, the Bill of Rights plays a significant role by taking "legislative" and other measures designed to protect or advance persons or categories of persons, disadvantaged by unfair discrimination to

promote the achievement of equality [South African Constitution 1996, Section 9(2)]. A final example of how the Constitution recognises ethnic diversity in the nation is Section 235 of the Constitution that makes provision for ethnic self-determination, which must be distinguished from secession, as it recognises “the notion of the right of self-determination of any community sharing a common cultural and language heritage” within the nation (South African Constitution 1996, Section 235). This is attractive to a wide spectrum of communities, as various cultures enjoy the support and protection of their specific culture from the government.

On the issues of race, Mandela was a nationalist/Freedom Charterist. He gave birth to the concept of the single “rainbow nation”. This is racial inclusivity. In contrast, Thabo Mbeki (ANC president since 1997, and (state) president since 1999) is much more of an Africanist – with its strong pan-African leanings – than Mandela (Breytenbach, 2000). Mbeki does not see South Africa as a single nation, but two nations: rich white and poor black. But he is also an Africanist with a capitalist agenda, which might have implications for the continuation of the ANC’s tradition of non-racialism that was strongly supported by Nelson Mandela (Breytenbach, 2000). Moreover, the ANC’s non-racial partners, the SACP and especially COSATU, might become uncomfortable with too much capitalism. So, if Mbeki succeeds, the outcome may be more capitalist, but less non-racial.

This is in line with Mbeki’s two-nations vision which compels him to consolidate black politics and promote black bourgeoisie development (Breytenbach, 2000). The fact that Mbeki is bent on creating a black capitalist class explains why he plays the “race card” as he often does. Mbeki is thus pushing for black control over the army, the police, the bureaucracy, the diplomatic service, the independent bodies such as the Reserve Bank, the judiciary and the broadcasting industry, as well as the parastatals, that are now being privatized (Breytenbach, 2000). A clear downside to this is that the policy of non-racialism is being sidelined.

Mbeki, probably in line with his two-nation thinking of wanting to strengthen the “black nation”, agreed with Inkatha that the ANC and Inkatha shall share power in KwaZulu-Natal and in the Cabinet after the 1999 elections. After the 1999 elections when Inkatha was “co-opted” into the Executive, the question could have been asked whether it could have been the end of pluralism in black politics, as there was no major black opposition party left in South Africa after the coalition was formed (Breytenbach, 2000). Needless to say, the alliance broke down after Buthelezi, the leader of the IFP, was not reappointed to the Cabinet after the 2004 elections, which prompted him to take all the IFP members with him. And Mbeki still attacks the opposition in Parliament for being white.

### **5.2.2. Racial Politics**

South Africa’s transition to the new democratic dispensation in the highly anticipated 1994 elections brought about many changes to the political system in South Africa, as well as to the nature of society itself. However, one area in which South Africa is still struggling to come to terms with, thirteen years after the end of Apartheid, is the issue of race. The continuing significance of race despite the formal end of Apartheid (Ansell, 2004: 4) poses a threat to national unity, as well as presenting a national dilemma in the pursuit of national reconciliation. In his weekly online letters on *ANC Today*, President Mbeki’s use of race heightens our perceptions of this *continuing significance* and presence of race, reinforcing the notion that we are living in a race-conscious society.

Mbeki draws attention to the consequences of colonialism and the Apartheid legacy by illustrating with an example of the statistics of the number of engineers in the country. He emphasises the racial imbalances that persist as a result of this legacy (*ANC Today*, 5: 11). In another letter posted on *ANC Today* entitled, “Long live the Freedom Charter” (*ANC Today*, 5: 25), Mbeki relives the first Europeans arriving at the Cape, narrating how the native Khoikoi were defeated and how they were subject to white minority control thereafter. As a result of the notion of race being such a prominent issue for President Mbeki and the ANC, it becomes evident that “the legacy of Apartheid racial classifications is dangerously present in contemporary ANC rule” (Ansell, 2004: 9). For Erasmus (2005: 23), just merely naming the importance of race is in itself an act of



racism. In another example of race coming to the fore, Mbeki has frequently attacked the opposition in Parliament for being a 'white' opposition. Thus, Mbeki's use of the race card may ignite fresh hostilities between parties in government and defeat the country's goal of becoming racially tolerant.

The rise of Zulu populism around Zuma is an illustration of the ethnic tensions surrounding the presidential race and the politics of the country. One would have thought that the transition to a new president in 2009 would not be problematic for such a powerful, self-confident political force as the ANC. But with Zuma and his chequered past (acquitted on a rape trial, as well as a pending corruption trial) and the fact that President Mbeki is now well into his second, final term, a leadership crisis is in the making, spurred on by ethnicity (Chatteris, 2006). Maneuvering over the succession to President Thabo Mbeki in 2009 is becoming increasingly fraught. The invective between supporters of Mbeki and his sacked deputy, Jacob Zuma, is highly personal, and is increasingly taking on an ethnic slant. Zuma is not only courting the support from COSATU, the SACP and the Youth and Communist leagues (*Africa Confidential*, 2006: 6) but within the ANC, he has over the past decade worked hard to show that the IFP is not the sole legitimate custodian of Zulu culture and tradition (Chatteris, 2006). He often addresses meetings in traditional Zulu outfits and emphasising Zulu symbols (*Africa Confidential*, 2006: 7). When Zuma was fired by Mbeki as Deputy President last year, he once again played the "Zulu card", ensuring that the first public meeting he attended was at the side of his king, and openly exploiting his Zulu credentials (*Africa Confidential*, 2006: 6).

For their part, Zuma's supporters see a political plot to derail his presidential bid—a conspiracy against Zuma, an ethnic Zulu, hatched by the supporters of Mbeki, an ethnic Xhosa (*The Economist*, 2007) The Zulus and Xhosas are cultural and linguistic cousins from adjacent regions along the eastern coast, who have coexisted with only occasional conflict. While the Zulus are the larger group and have a distinguished military history, the Xhosas are perceived as having an edge in political savvy, with a much longer

experience in dealing with white settlers (*The Economist*, 2007). Thus, ethnic tensions in politics today have taken their cue from historical animosities, exacerbated by reemphasising ethnicity, with very little tolerance being displayed by Mbeki, Zuma and his supporters, as well as the ANC Youth league. Although Mbeki continues to win general approval, he is showing signs of being a lame-duck president, and he faces increased challenges from his political left (Chatteris, 2006). But some in the powerful labor unions, the Communist Party, and even the ANC Youth League are itching to see Mbeki get his comeuppance. They think he has sold out to the capitalists and they support Zuma, who they believe would be the president of the poor. Thus, the Mbeki and Zuma camps are clearly in conflict over political stances, but it is made worse with ethnic populism.

The problem with populism is that some politicians manipulate people based on emotional responses rather than rational thought. We can see this clearly in Zuma's supporters. They appear to support him because 1) he was a "hero of the struggle"; 2) he puts himself as a person who "cares about the poor"; 3) he is a Zulu; and 4) there is a "conspiracy" against him. The feelings that are generated among the masses by Zuma translate into intolerance that extends further than just government politics. Thus, there are clear signs of ethnic politics in government, and play a significant role in dividing the nation, which impacts negatively on democratic consolidation.

In terms of the recently held elections, race has shown to play an important role in determining support. Shubane and Stack (1999) opine that the strength of the ANC derives from the role that racial identity still plays in determining political support. The ANC's support comes mainly from blacks; most other parties derive their support from groups defined in racial, ethnic, or linguistic terms. For example, the IFP's support comes mainly from Zulu-speaking people; the NNP's support came mainly from Afrikaans-speaking people. Thus, these identities continue to play a significant role in voting patterns in the country.

The most interesting departure from the racial cleavages evident in South African political parties is to be found in the DA (Shubane and Stack, 1999). The DA, which in the main has represented white English-speaking people in suburbia, seems to have attracted fairly significant support from Afrikaans, Coloured, Indian, and a small percentage of Black voters (those who are dissatisfied with ANC rule) in this election (Shubane and Stack, 1999). To change the racial patterns in party politics, the parties themselves would have to attract support from groups other than those that are presently dominant in each party. Until that time, voting will continue to be stratified along racial lines, which poses a threat to national unity, as well as to the consolidation of democracy. If voting persists along ethnic lines, divisions will persist and race will continue to be a prominent aspect in South African society. It must be said though that race is not the sole factor that determines the outcome of elections, but a factor that contributes in determining support in some instances.

### **5.3. The Existence of a Strong Civil Society**

In South Africa, extensive mobilization of civil society was a crucial source of pressure for democratic change. Thus, its significance needs to be underscored when looking at the multiple ways in which it can serve democracy. As Habib (2005) explains, we need to think about the features of civil society that are most likely to serve the development and consolidation of democracy.

In general, during the process of democratic consolidation, a strong civil society is commonly regarded as a crucial variable in determining the success or failure of democracy (Diamond, 1997; Fowler, 1994). Similarly, Linz and Stepan (1996) highlight the importance of civil society by referring to civil society as one of the five specific conditions that ought to prevail before a democracy can be considered consolidated. Most importantly, the conditions must exist for the development of a free and lively civil society. Quite evidently, the 1994 democratic elections in South Africa created the conditions conducive to the development of an independent civil society.

Diamond (1997) defines civil society as the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules. It is distinct from society in general in that it involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable. Civil society is also an intermediary entity, standing between the private sphere and the state. Camerer's (1996) definition (not much different and building on that of Diamond) is relevant for the purposes of this section. She defines it as: "An inherently pluralistic realm, distinct from, yet interacting with the state and processes of production, consisting of numerous associations and organised around specific interests with the following characteristics in common: communally organised, independent, voluntary, autonomous, able to form links with other interest groups and do not in any way seek to set themselves up as an alternative authority to the state.

However, Liebenberg (1997: 2) cautions that in the transition to democracy and more so where a democratic tradition has not yet been deeply entrenched, it is possible that civil society may find itself being absorbed by the state. Non-government organisations (NGOs) may move closer to the state as consultants assisting in neo-patrimonial networks. Civil society may become aware of economic regression or unsolved social maladies (crime, corruption, nepotism, centralist impositions of party leadership, lack of restitution as a result of little action against past perpetrators of human rights), which precipitates civil society to move in closer to solve these issues and in the process losing their focus. Liebenberg (1997: 3) makes the argument that civil society needs distance from the state. Civil societies usurped by the state, or by institutions of mere profit-making, weaken a democracy by disempowering the very people for which the initial changes was meant (Mottiar, 2002). Dynamic and human-directed interaction is what is important, to the benefit of the broader inclusive democratic community (Heinrich, 2001: 2).

Habib's article (2005: 672) takes as its departure point a definition of civil society that celebrates its plurality. It recognises that the set of institutions within this entity will

reflect diverse and even contradictory political and social agendas. As a result, state-civil society relations will reflect this plurality. This is an indication of a strong civil society, as a wide array of interests are represented and it also represents the political maturing of South African society.

The plurality of civil society is reflected in Diamond's (1997) classification of civil society. In his typology, civil society encompasses a vast array of organizations, formal and informal. These include groups that are: 1) *economic* (productive and commercial associations and networks); 2) *cultural* (religious, ethnic, communal, and other institutions and associations that defend collective rights, values, faiths, beliefs, and symbols); 3) *informational and educational* (devoted to the production and dissemination of public knowledge, ideas, news, and information); 4) *interest-based* (designed to advance or defend the common functional or material interests of their members); 5) *developmental* (organizations that combine individual resources to improve the infrastructure, institutions, and quality of life of the community); 6) *issue-oriented* (movements for environmental protection, women's rights, land reform, or consumer protection); and 7) *civic* (seeking in nonpartisan fashion to improve the political system and make it more democratic through human rights monitoring, voter education, mobilization etc).

In South Africa, contemporary civil society is distinguished by the fact that it not only reflects the demographic realities of South African society, but also transcends the racialised form of the adversarial-collaborative dichotomy that typified civil society relations with the state in earlier epochs (Heinrich, 2001: 3). The diverse racial profile of contemporary civil society has its roots in the early 1980's when a phenomenal growth in associational life in South Africa had occurred, and the distinctive feature of this period was the formal emergence of black civil society actors who had hitherto been banned or prevented from operating in the public arena (Habib, 2005: 674). Furthermore, prior to the liberalization in the early 1980's, the dominant elements in civil society were organisations and institutions that were either pro-Apartheid or pro-business (Habib, 2005: 674). Agencies critical of the state and the socio-economic system were actively

suppressed or marginalized from the formal political process. Civil society has thus influenced and been moulded by the political transition in South Africa.

Under Apartheid, civil society was strong and this was one sector which the Apartheid government could not suppress. As the 1970's approached, anti-Apartheid NGO's like the unions and the array of organisations associated with the Black Consciousness Movement (BCM) began to make their presence felt (Marx, 1992). In the 1980's and early 1990's, the anti-apartheid movement, internally led by the United Democratic Front (UDF), sought to bring down the apartheid regime and replace it with a democratic government. At the same time, in the course of struggle, many other concerns were raised by affiliate organisations, including working conditions, rent, environmental degradation, urban services, agricultural productivity, AIDS awareness, liberation theology, people's education, school curriculum, and so on. These reflected the range of issues of interest to civil society organisations, communities and activists, who were deeply politicised but whose concerns extended beyond the issue of state power. (Greenstein, 2003: 3). The ability to articulate numerous disparate local concerns into a global anti-apartheid movement was the strongest asset of the opposition, as it allowed it to present a united front against the regime. (Greenstein, 2003: 3).

Under the Apartheid regime, four different types of NGO's existed (Heinrich, 2001: 4): 1) organisations closely linked with to and servicing the anti-Apartheid movement, 2) liberal NGO's advocating changes in Apartheid policies from "within the political system", 3) NGOs focusing on social service delivery while trying to remain neutral with regard to the political arrangement, and 4) large welfare bodies cooperating with the Apartheid regime on the racially segregated delivery of social services. The anti-Apartheid NGO's were positively influenced by the struggle for non-racial democracy, placing a premium of importance on the inclusion of all relevant stakeholders.

Non-governmental Organisations (NGO's) play an important role in strengthening democracy in South Africa (Heinrich, 2001: 2). The existence of a large and vibrant NGO sector in South Africa dates back to the 1980's when the prominent role given to NGO's

in international development initiatives fostered the rapid expansion of the South African NGO sector (Liebenberg, 1997: 3). This helped to create an enabling environment for civil society. Most importantly in creating a new political environment, however, was the state's willingness to partner with NGO's in the policy development and service delivery arenas (Habib, 2005: 678), where actions of the government were now under public scrutiny and protest activity was established. This created a whole new dynamic in state-civil society relations; something that was uncharacteristic of the Apartheid era.

Presently, civil society has partnerships with the state and state-directed development is still seen as the best way forward. Alliance partners sometime make concessions to the reality of limited capacity of the state to transform society and control the economy under conditions of globalisation (Habib, 2005: 674). They frequently mention the need to involve popular forces in the process of governance and invoke the notion of partnerships with civil society and the private sector (Greenstein, 2003: 4). However, organisations in civil society also act as the opposition in government because of the weak opposition in Parliament, which in a sense compensates for the lack of a strong political opposition. The significance of civil society is therefore two-fold in the democratic process.

In any case, it needs to be noted that in facilitating the deepening of democracy, it is indeed the very existence and plurality of civil society, and its diversity of state-civil society engagements that is beneficial for democracy. The relations that civil society engenders with the state, coupled with the plurality of civil society, are thus the best guarantees for the consolidation of democracy in South Africa.

## **5.4. Political Culture**

### **5.4.1. Theoretical Perspective**

Political culture is an important aspect when analysing the possibilities for the consolidation of South Africa's democracy. It is widely accepted that every political system is embedded in a particular pattern of orientations to political action, that is, its political culture. Thus, the concept of political culture implies a measure of stability. Tocqueville, for one, made political culture a theme central to stability when he wrote

that “in order that society should exist and, *a fortiori*, that society should prosper, it is necessary that the mind of all the citizens should be rallied and held together by certain predominant ideas” (Tocqueville, 1969: 8). Thus, a democratic culture is one in which ideas and values exist among the elites and the masses, and work together towards the sustainability of the democratic society.

In the most influential research in the field, Almond and Verba defined political culture as the “attitudes towards the political system and its various parts, and attitudes towards the role of the self in the system” (Almond and Verba, 1963: 13). To them, political culture is a set of individual psychological states, which can be revealed through survey questionnaires. This pioneering research aimed to reveal the relation between the attitudes and motivations of the discrete individuals who make up political systems and the character and performance of political systems.

In South Africa, there have also been attempts to measure the evolution of political culture. For instance, Mattes and Thiel (1998) first focused on the notion of ‘national legitimacy’, meaning ‘a near-consensual agreement on the identity of the state or “people” that is to govern itself democratically (Linz and Stepan, 1996: 16). They argued that in order for South African democracy to consolidate, citizens need to be proud of being South Africans. More recently, Bratton and Mattes (1999) addressed the question of whether commitment to democracy was intrinsic or instrumental in Africa. Intrinsic commitment, they suggested, was based on an “appreciation of the political rights and freedoms that democracy embodies when valued as an end in itself”, while instrumental commitment focused on the fact that the change of regime may be a means to other ends—“most commonly the alleviation of poverty and the improvement of living standards”. Intrinsic support is a commitment to democracy for better or worse; as such, it has the potential to sustain a fragile political regime even in the face of economic downturn or social upheaval. By contrast, instrumental support is conditional.

Clearly, the research in the field of political culture is substantial in its own right, but for our purposes here it is not necessary to provide a complete overview on all the literature



conducted on the topic. Instead, we now turn to the operationalisation of political culture. The concept of political culture can be measured by a wide range of indicators, two of the most important of which are political tolerance and trust (Gibson et al, 1992). We examine how the selected indicators of tolerance and trust serve to reinforce or undermine democratic consolidation in South Africa.

#### **5.4.2. Tolerance**

According to Gibson, “no single democratic value has received as much attention from empirical theorists as has political tolerance” (Gibson et al, 1992: 337), with scholarly interest concentrating mainly on whether citizens will tolerate the political activity of their most hated opponents. This is especially important in a country like South Africa with its deep societal divisions, “democracies like South Africa—being incisively divided—may risk becoming majority tyrannies” (Garcia-Rivera et al, 2002: 170). In a similar vein, Gouws notes that political tolerance is:

“[D]irectly related to how willing people are to put up with their opponents. It entails the willingness to extend civil liberties to adversaries. It implies procedural fairness—a commitment to the rules of the game and willingness to apply them equally. Tolerance is the willingness to extend freedoms to those who are different” (Gouws, 1996: 23).

Thus, the link between tolerance and political culture is quite clear, which in effect would impact on consolidation depending on whether a high or low tolerance exists that would either strengthen or undermine a democracy.

In their book entitled, *Overcoming Intolerance in South Africa: Experiments in Democratic Persuasion*, Gibson and Gouws (2003) concentrate on political tolerance. Given the multicultural nature of South African society, as much as any other cultural attribute, tolerance of the views of others is important for the survival of a democratic South Africa. The dilemma is that tolerance is often lacking at the transition, a time when it is all the more crucial given the frequently weak political institutions at the time. What is more, “[d]uring a period of political transition, it may be especially difficult to tolerate one's enemies since so many fundamental conflicts over the nature of the regime

dominate politics” (2003: 26). Unfortunately the authors’ findings on the level of tolerance in South Africa were generally not positive. Identifying ways in which South Africans might be made to 'put up with' their political opponents, to look favourably on open political competition, and ultimately to peacefully co-exist was the overarching theme of the book.

Intolerance in South Africa is not a new phenomenon. In the pre-democratic era, Apartheid, in many respects, was predicated on maintaining and bolstering intolerance amongst the various racial groups. Even as the transition got underway, tolerance remained in short supply as both ANC and IFP members declared 'no-go zones' during campaigning for the 1994 elections (Garcia-Rivero et al, 2002: 168). Generally though, studies conducted by Gibson and Gouws (2003) have found South Africans significantly intolerant towards other groups. The basis for their study comes largely from intensive public opinion surveys they conducted in 1996-7. Earlier in this chapter it was also shown that levels of intolerance are particularly high surrounding the presidential race between Mbeki and Zuma, drawing on ethnicity to bolster support, and this is increasing ahead of the 2009 elections.

To measure political tolerance in South Africa, the least-liked method (Garcia-Rivero, 2000: 142) was used. The studies however revealed that levels of tolerance had increased considerably in South Africa during its first five years of democratic governance, with all population groups showing higher tolerance levels—and the Black group revealing the most significant attitude change. The 1998 figure is nearly double that of 1994. This endorses Garcia-Rivera and colleagues’ findings that political tolerance in South Africa has increased post-1994. These findings bode well for the strengthening and consolidating of South Africa’s democracy. Gouws (1991; 1993; 1996) and Gibson and Gouws (1999) confirmed this in their studies.

### **5.4.3. Trust**

Trust is an important aspect when it comes to a democracy consolidating itself. But what is trust? It is defined as the subjective possibility that a citizen is convinced that the

political system or parts of it will be able to deliver the necessary preferred outcomes, even though that person does not participate in the production of the outcomes (Easton, 1975: 443). Garcia-Rivero and collaborators (2002: 171) draw the link between the survival of a democratic regime and trust in the system of governance ... “Without trust, and without genuine representation, the bargaining process of any democracy will collapse”. Thus, trust is important in constituting a democratic political culture.

Trust can be measured with regard to institutions, but also at the interpersonal level. Garcia-Rivero et al (2002: 172) attempted to survey South Africans’ feelings of trust in the democratic political institutions. They found that levels of trust increased after the first democratic elections in 1994, but lasted only a relatively short period. Between 1995 and 1998 trust decreased. It maybe that the national election in 1999 affected this figure in a positive way, as levels of trust rose in 1999. Overall, however, indicators of trust in democratic governance in South Africa are somewhat pessimistic. This is compounded by the lack of accountability and transparency in current high-profile government issues.

Our political culture seems fraught with conspiracy and very little openness or integrity at the moment (February, 2007 *IDASA*). The consolidation of the President’s power-base ahead of 2009 has many repercussions and we are living through those it would seem. The suspension of National Director of Public Prosecutions, Vusi Pikoli is an ominous sign. Regrettably, the Presidency’s PR on the Pikoli suspension has been so weak, that citizens again have been left in the dark as to precisely why the President took the step he did? Saying his relationship with the Minister of Justice had ‘irretrievably broken down’ is not a sound Constitutional reason to suspend Pikoli. It leaves one with the uncomfortable feeling that Pikoli is, in fact, being ‘disciplined’ for not discussing the procurement of arrest warrants for Commissioner of Police, Jackie Selebi, with the President (February, 2007 *IDASA*). In any event, the Prosecuting Authority is central to the rule of law and our Constitutional architecture. It cannot be tampered with at will.

The true problem with all this conspiracy theory politics is that it has an accumulatively negative impact on our public life, the way in which government operates and the legitimacy of our democratic institutions (February, 2007 *IDASA*). And herein lies the danger for South Africa's young democracy. For it creates an environment of mediocrity and an increasing seeping of accountability in public life. Creating democratic societies requires leadership at all levels, but such leadership undoubtedly starts within government and the person who heads it. If those individuals do not respect the democratic institutions that form the basis of our democracy, that has a knock-on effect on other public institutions, and ultimately the consolidation of these institutions in our democracy. This makes one wonder how we can build on the legitimacy of the courts and ensure that accountability and transparency remain paramount in our democratic society.

For instance, we saw the Judicial Services Commission (JSC) displaying a remarkable lack of will to deal with the question of whether Cape Judge President John Hlophe should be sanctioned for firstly not recusing himself in a matter in which he allegedly had a financial interest and secondly for allegedly not receiving the requisite permission to receive a retainer from Oasis asset management (February, 2007 *IDASA*). It again is a graphic example of a lack of leadership by those within key institutions to deal with wrongdoing. What kind of a political culture are we trying to foster when the present political climate is not conducive to democratic consolidation, where the people at the highest echelons of government are not conforming to the values upon which our democracy was built? The Hlophe matter is an example of turning a blind eye to important ethical issues and the consequence is an erosion of our constitutional values.

What is a democratic political culture? It is a culture where civil liberties and political rights are strong. We are seeing a constant erosion of that. For instance, the action being taken against Mondli Makanya, Editor of the *Sunday Times*, about the story he published on the Minister of Health, Manto Tshabalala-Msimang, concerning allegations of her alcohol abuse during her 2005 hospital stay. Legal action is underway against the newspaper in order to return her medical records and to silence it

from any further comment on these documents. However, in a society where a democratic culture exists, such information is important and in the public's interest, as it could potentially impact on the minister's ability to hold office. Freedom of the press is thus important in this regard in exposing issues pertaining to leadership. Suppressing the freedom of the media as well as preventing the media from reporting on matters of public interest, infringes on the constitutional right of freedom of the press. These examples illustrate how certain issues are chipping away at the foundations of our democracy, and point to a rise in authoritarianism.

Thus, it is possible to conclude that institution building in South Africa is undermined by a lack of trust and that will have an impact on the consolidation of democracy.

### **5.5. Concluding Remarks**

This chapter has attempted to highlight and discuss some of the most prominent factors that comprise the social arena in South African society. For obvious reasons, a whole range of factors could not be covered, but we have considered factors that are contemporary as well as their role they assume in the consolidation process, given the lack of time and space. The factors discussed are the cleavages that exist in South African society, the existence of a strong civil society, and South Africa's political culture.

Thus, the cleavages in South African society were found to be very relevant to this focus, as it continually poses a threat to consolidation. From this analysis, it is evident that race is still very much a problem in South African politics, as well as South African society. We have seen in government politics the role that ethnicity is increasingly taking on in defining leaders, such as the rise of Zulu populism surrounding the issue of Jacob Zuma and perhaps playing a role in bumping Zuma up to the top job. Ethnicity is used as the driver upon which further political issues are raised, and this has had the effect of creating widespread intolerance between the polar opposites, Mbeki and Zuma, as well as from the ANC Youth League.

South Africa also has a very strong and lively civil society, which arguably is one of the most important factors in democratic consolidation, at least according to Linz and Stepan. South Africa's civil society is plural in nature, representing a diverse array of interests, and working well in keeping the government in check, which is a necessary condition for a democratic regime to survive and become consolidated. This is one area in which South Africa has always been strong, even before the democratic transition was effected. Given the fact that the parliamentary opposition is significantly weak, the existence of a strong civil society is important in assuming that role of keeping a check on the ANC's power.

Lastly, the political culture in South Africa takes its lead from political tolerance and trust as indicators. Political tolerance among the masses has increased considerably since 1994. However, with the upcoming elections in 2009, intolerance is becoming widespread among the elites, mostly within the ANC and the succession race. The party is clearly divided in support over the succession issue. But more importantly for the implications of democratic consolidation is the present political climate, which is showing to be a poor reflection of the democratic political culture South Africa subscribes to. We are seeing an erosion of democratic constitutional values with the questionable suspension of the National Director of Public Prosecutions and the case of the Cape Judge President, John Hlophe. Furthermore, the action being taken against the Editor of the *Sunday Times* concerning a high profile story he published is a further case in point that questions the way in which South Africa's democratic culture is evolving. The provisions that are supposed to protect South Africa's democracy from authoritarianism are disintegrating and becoming increasingly shallow, which spells trouble for long-term consolidation.

## **Chapter Six: Conclusion**

### **6.1. How Consolidated is South Africa's Democracy?**

#### **6.1.1. South Africa's Democratic Institutions**

The enterprise of building or strengthening democratic institutions in societies emerging from conflict or non-democratic regimes can be immense, complex, and time-consuming. In the case of South Africa, breaking the shackles of Apartheid entailed transforming the institutions that characterised the dominance of the old order and reinstating democratic values and principles through reformed institutions. The areas where rebuilding of democratic institutions can occur is broad indeed. This thesis has examined in depth the democratic governance structures, such as the parliamentary institutional arrangement, the relationship between the legislative, executive, and judicial branches of government, the PR electoral system used (and the regular holding of elections), the existence of multipartyism, the strengthening of the rule of law and human rights, the growth and development of a pluralistic civil society and a free press, a free market economic system and the existence of an economic society (including the development of a black middle class) , and lastly, the fostering of a democratic political culture.

In light of the above criteria analysed, South Africa can be considered a consolidated democracy according to Gunther and colleagues (1995). In their publication entitled, "The Politics of Democratic Consolidation: Southern Europe in Comparative Perspective", they advance the view that democratic consolidation is complete when there has been an adoption of democratic institutions, processes and values by the political class and the masses (Gunther et al, 1995). South Africa has successfully established a dispensation with institutions that serve to promote democracy as an end goal. However, the argument presented in this thesis is that the mere existence of democratic institutions is not enough to term South Africa's democracy consolidated, as there are telling signs that point to the erosion of the principles upon which South Africa's democracy was founded and a rise in authoritarian methods of rule.

Arguably, the most problematic issue in South Africa's institutional design is that of accountability. This is most telling in the electoral system. The main area of contention has been the fact that proportional representation lessens accountability between representatives and their constituencies, as representatives are accountable to their parties as opposed to the electorate. This facilitates the highly controversial floor-crossing, and in the process distorts the system's proportionality and is not a true reflection of the will of the electorate. This is undemocratic and undermines the principle of representivity which is crucial to democratic consolidation. Arguments made in favour of the PR electoral system though, are that firstly, the system encourages a diverse range of parties to contribute to South Africa's multiparty democracy, which displays a commitment to democratic institutions established. This enables minority groups to be represented, even though they are relatively insignificant in relation to the ANC's electoral dominance. Secondly, the inclusion of women in government is higher under the PR system and makes provision for greater gender equality, a key factor of ANC policy.

As far as elections are concerned, South Africa has consistently held free and fair elections. The continuing institutionalisation of elections in the coming years will play a positive role in deepening the country's democratic culture. On this count, South Africa's democracy is consolidated given the fact that elections have been held unconditionally and successfully. The same conclusion can be drawn when looking at media freedom in South Africa. Both electoral and media freedom are key hallmarks of South Africa's democracy that underpin democratic consolidation. Recently though, attention has been drawn to the issue of the *Sunday Times* Editor running with a high-profile story that is obviously of public interest, with consequent action being taken against him. This instance undermines our democratic culture that fosters independence and freedom of speech (especially in the press), something which is being challenged with the pending court case against the Editor of the *Sunday Times*.

In terms of the rule of law, South Africa has a Constitutional Court, which was established to uphold the Constitutional democracy and protect the values enshrined in the Constitution. The Court is functioning effectively in this regard. The main problem



however is the refusal of the executive to implement its rulings, which undermines the legitimacy of the Court, and hence the principle of Constitutionalism. This will lead to an erosion of the independence of the Court, which will eventually corrode the judiciary's integrity over time. Thus, the appropriate checks and balances in the system become dysfunctional, undermining one of the key cornerstones of our democracy. It must be said however that South Africa's legal culture is highly sophisticated, with the right mechanisms in place to achieve a consolidated democracy that is grounded in a strong rule of law, although the recent incidents involving our National Director of Public Prosecutions and a Cape Judge President indicate that our constitutional culture could be in danger of being usurped by state power.

### **6.1.2. One-Party Dominance of the ANC**

Since 1994, the ANC has entrenched its position as the dominant party in South Africa's democracy, and this was confirmed after the 2004 election when the ANC obtained 70% of the national vote. This dominance has implications for consolidation, as the context in which a party dominates the political landscape and faces little prospect of electoral defeat raises concerns about government's response to public opinion, accountability, and most importantly the development of authoritarian methods of rule. The electoral dominance of the ANC contradicts the idea of South Africa's multiparty democracy. It may be fair to say that South Africa can expect prolonged ANC dominance in years to come, which on the upside is the benefit of stability within government. Butler (2006: 43) however believes that a dominant party can sustain the 'founding pact' of a democracy, using its strength to promote reconciliation and to change attitudes towards democracy. However, dominant parties can become undemocratic and have the effect of disheartening and weakening political opposition. These impacts that are being seen now are likely to increase the longer they endure, and one of the biggest dangers to the democratic regime is the blurring of the boundary between the state and the party.

Furthermore, a direct result of the ANC's dominance has been the subsequent weakening of the political opposition in Parliament, making opposition parties relatively insignificant in the policy process. This limits genuine multiparty competition, which

undermines democracy. In terms of consolidation, the fact that the opposition is not strong by any means rules out the possibility of an alternative being offered to the dominant party, and the opposition cannot fulfil the watchdog function over the ruling party. This makes way for the abuse of power and other problems which impact on long term consolidation. If the ANC increases its dominance in elections to come, South Africa will be heading dangerously towards a one-party state, a rise in authoritarianism.

### **6.1.3. South Africa's Economic Situation**

In terms of socioeconomics, this study has adopted the criteria used by Przeworski et al (1996), Bratton and van de Walle (1997), and Leftwich (2000) to produce a multivariate analysis on the state of South Africa's democracy and future prospects for consolidation. Evidently, in the case of South Africa where socioeconomic issues constitute a significant burden on the functioning of its democracy, it is imperative that we include these factors in our analysis. These factors relate to affluence (per capita income), income inequality, the existence of a sizable middle class, and economic performance.

Post 1994, the ANC government was confronted with the tall task of having to rebuild South Africa's economy, and eventually reintegrate it into the global economy. There is widespread agreement that major economic progress has been made since 1994. Economic growth rates have been high, along with extensive trade reforms and increased productivity in the economy. Furthermore, South Africa has maintained a moderate rate of inflation, which is based on Przeworski et al's (1996) hypothesis that a good inflation rate promotes democratic stability. In a recent review, *The Economist* (2006) commented approvingly on the fact that the economy has grown "for an impressive 87 straight months". However, the report casts a shade on its optimism by noting a range of social ills that have become even more of a burden in recent years, such as income inequality, poverty, persisting high unemployment and the standard of living among most South Africans. What is more is that South Africa's Human Development Index has decreased drastically since 1994, which indicates that there is a serious problem within effective governance.

The RDP plan of the ANC was the first economic policy document which laid out a visionary plan to rebuild the economy to extend and provide greater access to essential services and goods by the large majority. The policy was strongly committed to redistribution, with a focus on job creation, housing, social services, and a public works programme to provide relief for the unemployed. Arguably though, the RDP plan failed in its objectives and it also became clear that the plan was not a pragmatic solution to the problems the country faced. This led to the RDP plan being replaced by the neo-liberal GEAR strategy.

According to Butler (2006: 36), the ANC movement's electoral invulnerability has allowed it to enforce an unpopular but necessary programme of economic stabilization. The ANC's orthodox or even conservative overall economic policy, the GEAR strategy, has increased the prospects of sustainable economic growth. In this way – although at the political cost of placing the burden of adjustment on the shoulders of the poor – it has made it more likely that democracy will survive in South Africa (Butler, 2006: 36).

However, GEAR has not delivered in terms of relieving unemployment and poverty; in fact, unemployment and poverty have increased, with the country's wealth still unevenly distributed along racial lines. Policies such as GEAR under the leadership of Mbeki did produce mediocre growth of around 4%, but not nearly enough to reduce unemployment on a large scale and increase the standard of living of the black majority. ASGISA, which succeeded GEAR, adopted a stronger stance on unemployment and poverty than what GEAR did, but its main driver was still economic growth, with little advances being made in improving the economic situation of most South Africans.

In terms of building a strong economy, such neo-liberal policies are important and will secure South Africa a solid investment infrastructure in years to come, which is obviously important for democratic consolidation; however, if the benefits of such policies do not extend to the greater majority and improve the lives of the citizenry, achieving consolidation will be a difficult task, as the masses will become increasingly disgruntled with the policies of the government, which are doing nothing more than generating

investment for the country. In this sense, with poverty and unemployment on the rise, this will undoubtedly pose a threat to regime consolidation. Thus, the survival of South Africa's democracy depends on not only institutional factors (e.g. the Linz and Stepan (1996) criteria) but also on socioeconomic factors (affluence, economic performance, and income inequality (Przeworski et al, 1996; Bratton and van de Walle, 1997; Letwich, 2000) – those items covered in Chapter four).

As far as income inequality is concerned, South Africa has a very highly skewed distribution of income. This has worsened in the years following the democratic transition. Quite clearly, the breakdown of Apartheid did not immediately translate into improved material conditions for the majority of South Africans as a result of decades of deep-seated inequalities that became entrenched in South African society since colonialism. One positive aspect is that ASGISA tackles the dual nature of South Africa's economy head on, as the government came to the realisation that without interventions directly addressed at reducing South Africa's historical inequalities, growth is unsustainable. The key to ensuring democratic consolidation in South Africa is indeed ensuring that economic growth is sustainable and that it filters down to the majority. South Africa's democracy is more likely to survive if the regime is able to reduce income inequality (Przeworski et al, 1996: 43). On this count, South Africa is not faring particularly well as illustrated by the vast economic disparities in the population and disturbing levels of poverty and unemployment.

In an effort to transform the economy after the devastating effects of Apartheid, the government embarked on a black economic empowerment programme, which was introduced through policies of affirmative action that would hopefully lead to the creation of a black middle class. This had been absent due to the systematic exclusion of the black majority from the labour force. From 1994, the ANC worked strenuously towards the attainment of representivity within the public sector. Measures such as the Employment Equity Act of 1998, the Promotion of Equality and Prevention of Unfair Discrimination Act of 2000, and the Broad-Based Black Economic Empowerment Act of 2003 are providing for a considerable levelling of the employment field across society as a whole.

The results of these policies have been mixed though. Although some measure of success can be ascribed to these policies in facilitating the growth of the number of black people in the middle class, the proportion of blacks in total that make up the middle class is still very low and underdeveloped when one considers the fact that black people constitute about 75% of South Africa's population. Moreover, these policies are doing nothing more than enriching an elite few of the black population, as opposed to growing the middle class and eradicating large-scale unemployment. The ANC's short-term strategy of affirmative action programmes have perhaps been at the expense of choosing to invest in human capacity over the long-term. Daniel (2006: 172) states that the ANC's capture of the state has provided them with the means to use parastatals as instruments for both promoting BEE-related goals (like extending black control over the economy and increasing opportunities for an expanding middle class).

As empowerment is not extending to the majority of the black population it may be said that South Africa's democracy is not completely consolidated in terms of the black middle class; however, it nevertheless exists, which is a good sign, and with the further upliftment of the black majority in the coming years will be crucial in determining the success of South Africa's democracy.

#### **6.1.4. Building a Democratic Culture**

Central to the debate of South Africa's political culture, is the question of whether we are being slowly ushered into a phase where authoritarianism is becoming increasingly prevalent, which appears to be masked by electoral dominance of the ANC. We can without a doubt say that party dominance by the ANC is a worrying feature of our democratic society, which constantly nags at the legitimacy of the system; however, even more worrying is the lack of accountability and transparency, as well as the conspiracies that are coming to the fore of late. This we have seen in a number of recent incidents: firstly, the mysterious suspension of the National Director of Public Prosecutions; secondly, the ignorance of the JSC in dealing with a crucial matter relating to a High Court Judge President; and lastly, the inappropriate action being taken against a

newspaper Editor for exercising his constitutional right to inform the public of matters of national interest concerning a high-profile cabinet member. These incidents are a graphic portrayal of authoritarian tendencies without much regard for the legal culture that has been cultivated in South Africa since 1994.

Insofar as the succession struggle in the ANC is concerned, the divided nature of the governing party could well impact negatively on the capacity of the ANC to govern effectively and efficiently and in the interests of democratic consolidation, as unnecessary time is spent on trying to bolster individual support for a particular leader, as opposed to focusing on the more critical issues such as unemployment, poverty, and service delivery as a unified party. This has provided impetus to ethnic mobilisation, which is most evident in the support that Zuma has garnered among the Zulu ethnic group. If factionalism is to arise among the ranks of the ANC leadership (for which the ANC claims not to entertain in the least), the challenges that South Africa is facing will be neglected, and the very issues that need to be remedied in order for our democracy to be strengthened will be sidelined, with the consequence being a slow attrition of our democratic regime over the long term.

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