

The Future of South Africa's Constituency System

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Rietvleldam

Table of Contents

Introduction	5
Mr Vusi Sibiya, <i>Gauteng Office Manager, Khululekani Institute for Democracy</i>	
Opening Remarks	7
Dr Michael Lange, <i>Resident Representative, Konrad Adenauer Foundation – Johannesburg</i>	
Welcoming Remarks	11
Mr Campbell Lyons, <i>Executive Director, Khululekani Institute for Democracy</i>	
The Future of the Constituency System for Elected Representatives in South Africa	13
Fr Smangaliso Mkhathshwa, <i>MP; Deputy Minister of Education; Chairperson of the Board of Directors, Khululekani Institute for Democracy</i>	
Do Constituency Systems (Partial or Full) Necessarily Entail Greater Accountability by Elected Public Representatives Towards Citizens?	17
Mr Carl Werth, <i>Democratic Party National Council</i>	
Proportional Systems of Representation: Reflections on the South African Experience	21
Prof. Siphon Seepe, <i>Vista University</i>	
The Implications of Current and Potential Future Electoral Options for Political Diversity and Broad Political Representation in Our Democratic Institutions	
• Prof. Tom Lodge, <i>Head of the Department, Political Studies, Wits University</i>	25
• Prof. Yolanda Sadie, <i>Department of Political Studies, Rand Afrikaans University</i>	27
THE IFP PERSPECTIVE	
• Ms Sybil Seaton, <i>MP, Inkatha Freedom Party</i>	33
THE NNP PERSPECTIVE	
• Mr Francois Beukman, <i>MP, New National Party</i>	35

Table of Contents

The Implications of Current and Potential Future Electoral Options for Gender Representivity in Our Democratic Institutions	
• Prof. Amanda Gouws, <i>Department of Political Science, Stellenbosch University</i>	41
• Ms Mihloti Mathye, <i>Gender Commission</i>	45
THE NNP PERSPECTIVE	49
• Ms Juli Kilian, <i>New National Party Whip, Gauteng Legislature</i>	
The Role and Function of Constituencies	
THE ANC PERSPECTIVE	55
• Mr Hope Papo, <i>MPL, African National Congress</i>	
THE AZAPO PERSPECTIVE	59
• Mr Nkutsoeu Motsau, <i>Azanian People's Organisation</i>	
THE ACDP PERSPECTIVE	61
• Mr Louis Green, <i>MP, African Christian Democratic Party</i>	
THE UCDP PERSPECTIVE	65
• Mr Isaac Mfundisi, <i>MPL, United Christian Democratic Party</i>	
Programme	69
Participants' List	71
Seminar Reports	73
Occasional Paper Series	75

Introduction

As a result of recent calls by politicians, civil society and the media for changes to South Africa's constituency system for public representatives, the Khululekani Institute for Democracy – in partnership with the Konrad Adenauer Foundation – held a conference entitled *The Future of South Africa's Constituency System* at Rietvleidam on 5 July 2000. The aim of the conference was to assess and evaluate the effectiveness and future of South Africa's electoral system, as well as to discuss and propose ways of strengthening the linkages between public representatives and citizens.

In his last speech to Parliament, former State President Nelson Mandela indicated the need to change to a more constituency-based electoral system in order to consolidate the democratic gains made in South Africa since 1994. In a report published in the *Saturday Argus* (6/11/1999), Anthony Johnson said that "taxpayers are forking out millions of rands every month for a constituency system for public representatives that is not real, and which for the most part is not working". In April this year, African National Congress (ANC) Chief Whip Tony Yengeni, argued for longer constituency periods for elected representatives in Parliament and promised stiffer penalties for ANC representatives who did not engage in meaningful constituency work.

South Africa currently has a party list system for voting public representatives to its democratic institutions, while at the same time making provision for these representatives to engage in constituency work, as provided for in the Funding of Political Parties Act. This has led to much confusion and abuse in the implementation of constituency work. Some of the problems that have resulted are ignorance on behalf of public representatives as to the role and function of constituency offices, a lack of accountability, low levels of community acceptance, poor deployment to constituencies, as well as a de facto situation where a number of constituency offices act more as quasi political party offices or as intermittent advice centres.

In light of this, a proposal has been put forward for a transition to a full constituency-based electoral system. Another proposal has suggested a mixed system with proportional representation (PR) for public representatives at national level, while implementing a constituency-based electoral system for provincially elected representatives. A third proposal argues that the current PR system remains as is, but with a proviso that legislation be put in place to define and regulate constituency work, and that the democratic institution to which a public representative is elected, be responsible for enforcing the law. A fourth proposal favours retaining the status quo, because the political price and consequences of the other proposals are too high, both financially and in terms of their possible negative impact on gender representivity and political party diversity in South Africa's democratic institutions.

Whatever the option promoted, we believe it is essential that these arguments are voiced publicly and discussed and evaluated critically, as they have significant and profound consequences on the nature and character of our democracy. The broader purpose of this conference was therefore to raise public

Introduction

awareness that the nature and strength of the linkages between public representatives and citizens is a key foundation upon which effective, enduring and stable democratic regimes are built.

The conference was divided into four themes: accountability, political diversity and representivity, gender representivity and the role and function of constituencies. There was general consensus by the panellists with regard to the shortcomings of the present electoral system. Political scientists focused more on the nature of representivity as enunciated in South Africa's Constitution. Politicians acknowledged that while the present electoral system has its shortcomings, it does, however, allow for minorities to be represented in legislative assemblies. With regard to gender representivity, it was acknowledged that South Africa has made strides in this regard, but that more could be done. Political parties differed on the issue of quotas for the enhancement of gender representivity. In terms of the role of constituencies, it became clear that there are no uniform guidelines for elected representatives to serve their constituents. Some parties have established parliamentary constituency offices, where members of Parliament and members of provincial legislatures club together and serve a designated area. Other parties continue using party offices to serve their constituents. Most panellists were concerned that, six years after the first democratic elections, South Africa still has no clear guidelines on constituency work for elected representatives.

Almost all panellists agreed that some changes to the electoral system will be necessary, even though there were differences with regard to the substance and nature of those changes. It was acknowledged, however, that opting for one electoral system over another would not be a panacea for the myriad problems this country faces.

Vusi Sibiya
Gauteng Office Manager
Khululekani Institute for Democracy

Opening Remarks

Michael Lange

INTRODUCTION

On behalf of the Konrad Adenauer Foundation (KAF), it gives me great pleasure to welcome you all here today. This is the first time KAF has cooperated with the Khululekani Institute for Democracy, and I would like to thank Vusi Sibiya and his team for the work they have put in to organising this event.

From our side, we can only hope that the topic of today's workshop – *The Future of South Africa's Constituency System* – will contribute in a meaningful way to our common efforts to strengthen South Africa's new democratic dispensation.

The title of this workshop is not meant to indicate that the conference organisers are unaware that South Africa is currently applying a national list proportional representation (PR) system for both the national and provincial elections.

Today's workshop should, however, be seen as an attempt to look at the disadvantages of such a system and at possible remedies which could result from a more constituency-based system.

1. BACKGROUND TO KAF

For those wondering what kind of organisation KAF is and why it has involved itself in organising this workshop, allow me to outline some of the reasoning behind the Foundation's involvement in South Africa.

KAF is one of currently five political foundations in Germany and is closely affiliated to the Christian Democratic Union Party – a centrist political party founded after the Second World War. It proudly bears the name of one of its

founding members, Konrad Adenauer, who was the first Chancellor of post-war Germany.

KAF's international activities are rooted in the Christian concept of human nature. By advocating Christian values, the Foundation is helping to establish Christian Democratic principles not only in Germany, but worldwide.

KAF has been cooperating with partners throughout the world for almost 40 years. Currently, some 80 representatives oversee some 200 projects and programmes in more than 100 countries. In this manner, the Foundation makes a unique contribution to policies serving peace and justice in international relations.

KAF's general aim as a political foundation working in South Africa, is to strengthen democracy and the rule of law while educating responsible citizens to play a more active part in the political and social lives of their communities. More specifically, we wish to inculcate democratic patterns of behaviour, including the ability to compromise, settle conflicts peacefully and help implement sustainable solutions to political problems.

At the same time, we advocate the creation of freedom of action for a plurality of political parties – particularly opposition parties – because we believe that political parties in general and opposition parties in particular are indispensable elements in a democratic society.

For this reason, KAF seeks to establish contact and cooperation with centrist political parties wherever possible, now that the single-party systems in Africa, as much as anywhere else, have been found incapable of living up to the challenges of development.

The Foundation does not only cooperate with political parties and their respective think-tanks, but also with reputable research institutions, as you will note from today's event.

2. DEVELOPMENT OF DEMOCRACY

What has been crucial for our expanding activities in Africa in general and in Southern Africa in particular, is the fact that democracy-orientated institutions and structures have been developing to a considerable extent in recent years.

Almost the entire continent has, in an amazingly short time, made remarkable progress towards political participation and economic emancipation.

In many cases, opposition parties were formed legally and could go public for the first time. They called, above all, for the abolition of one-party rule and for the modernisation of electoral systems.

Parliamentary and presidential elections which give voters the opportunity to choose between parties, persons and programmes are today seen throughout the world as indicators of democracy.

At the same time there has been an emerging consensus – at least among my colleagues in Africa – that a simplistic imposition of Western-style multi-party systems on African societies is not as automatically beneficial as was imagined. This has much to do with the unresolved question of whether Westminster-style democracy is necessarily the only form of democracy suitable to the African concept of democracy.

It is true that most African countries have held more or less competitive parliamentary elections – and approximately half of these have been declared free and fair by international monitoring teams. But what does “free and fair” really mean?

3. FREE AND FAIR ELECTIONS

A proper democratic electoral process cannot be implemented without allowing a multi-party contest. Before an election takes place, the playing field must be levelled to make all parties equal. All parties should have equal exposure from the media, and they should be allowed to campaign freely without the fear of having their meetings and rallies disrupted.

Calls to political competition in election cam-

paigns have over the years led to an escalation of underlying tensions, resulting in clashes between militant supporters of the contesting political parties. KwaZulu-Natal and South Africa's neighbour to the north have both seen more than enough of this.

Where voters are not free to exercise their right to attend rallies and for good reason are too afraid to go to the polls, the outcome does not accurately reflect the will of the people.

There is a fallacy that an election can be declared free and fair on the basis that on the day people cast their votes, there are no incidents of intimidation and violence. Whether an election is really free and fair or not, should not be determined on voting day alone. The events preceding the actual voting day should also be taken into account.

Recognising these pre-conditions for a free and fair electoral contest, very few elections on this continent can therefore be said to have been free and fair. Most elections have been of a questionable nature and observers have been at pains to declare them free and fair.

Besides the question regarding what kind of democratic system one would consider appropriate for an African country like South Africa, there is the other very important question as to what kind of electoral system should be applied.

We strongly believe it is vital for democracy, that the multi-party parliamentary system should function well and be as participatory as possible. Germany is therefore currently trying to develop ways in which voters can express their particular preferences for certain candidates more specifically than was possible in the past and even present electoral systems.

4. THE INFLUENCE OF ELECTORAL SYSTEMS

Why is the question concerning the electoral system an important one? The following reasons may be considered:

- Political institutions shape the rules of the game under which democracy is practised and it is often argued that the easiest political institution to be manipulated, for good or bad, is the electoral system. This is because in translating the votes cast in a general election into seats in the legislature, the choice of electoral system can effectively determine who is elected and which party gains power.
- Even with exactly the same number of votes

for parties, one electoral system might lead to a coalition government, while another might allow a single party to assume majority control.

- Electoral systems can influence the way parties campaign and the way political elites behave, thus helping to determine the broader political climate.
- Electoral systems may encourage, or retard, the forging of alliances between parties. They can provide incentives for parties and groups to be broad based and accommodating, or to base themselves on narrow appeals to ethnicity or kinship ties.
- Electoral systems may encourage losers to work outside the system, using non-democratic confrontationalist and even violent tactics.

5. SOUTH AFRICA'S CURRENT SYSTEM AND ITS SHORTCOMINGS

In 1994 as in 1999, the elections of a National Assembly and provincial parliaments were conducted in South Africa under a national list PR system with half the National Assembly (200 members) being chosen from nine provincial lists, and the other half being elected from a single national list. In effect, one nationwide constituency with 400 members was used for the conversion of votes into seats.

As a result, the current South African electoral system is one of the most proportional in the world, with a comparably extremely low threshold for representation and an exceptionally high degree of proportionality between seats and votes.

Critics of the present system focus primarily on the lack of accountability on the part of elected members to the voters, and therefore a certain lack of representativeness of the members of Parliament.

Some even argued that the electoral system needs to be changed in the post-1999 era, to take into account some of these issues.

My home country, Germany, applies a partic-

ular electoral system which – we believe – accommodates the positive aspects of a PR system with the desired effects of the constituency-based system.

Many have argued that, for reasons mentioned above, the German model or an adaptation of it, is what is needed in South Africa as it has the overall proportional feature as well as a (single-member) constituency base that provides the much desired accountability at the individual level.

CONCLUSION

I hope this workshop will develop a common understanding of all these alternative systems and that we may even come to a common position of what may be desirable when defining an alternative electoral system for South Africa.

As much as South Africa today can be considered a consolidated democracy in which the development towards a constitutional, pluralistic state ruled by law appears to be irreversible, recent events in Zimbabwe should alert all of us who support a democratic system based on the rule of law, regular free and fair elections and good governance, of what can happen to a previously assumed consolidated democracy.

By transforming white minority rule to black majority government, only the foundations of a peaceful democratic society have been laid in South Africa.

Building and maintaining South Africa's democratic dispensation on those foundations will depend on a continuing commitment by all segments of South Africa's diverse population to the rule of law, free and fair elections and good governance, promoting the much needed economic and social transformation. KAF is willing to continue to participate in this process.

We hope this workshop contributes to discussions of the concept of democracy in an African society and that it helps in the evaluation of all viable options for a more suitable electoral system in this country.

Welcoming Remarks

Campbell Lyons

INTRODUCTION

On behalf of the Khululekani Institute for Democracy, I would like to welcome you all here today. We would also like to thank the Konrad Adenauer Foundation for engaging with us in a partnership to address the important issue regarding the future of South Africa's constituency system. I hope this will not be the last time we join hands in an effort to promote and encourage the consolidation of democracy in South Africa.

Khululekani's rationale for holding this conference is based not only on what we do as an organisation in striving to bring governance closer to the people, but also on our research around issues pertaining to public participation, as well as our experience in the field and our work with communities.

STRENGTHENING THE RELATIONSHIP BETWEEN REPRESENTATIVES AND THE ELECTORATE

The question as to the future of our electoral system has become increasingly important, judging by the concerns raised by the media, members of political parties and community-based organisations. These concerns deal with, among other things, how we are to strengthen the relationship between elected representatives and the electorate, particularly between elections. Our research and experience indicates that at present, this relationship is flawed.

In a national survey conducted last year by Khululekani in partnership with the Human

Sciences Research Council, it was determined that out of those surveyed, only nine per cent of South Africans visit or know where their constituency office is. In our work with community structures, many people have indicated that they never see their elected representatives, and that when they do, it is invariably just prior to elections.

These indications should, however, not detract from the good work that is done by elected representatives who put in much effort, travel vast distances and demonstrate real concern for their constituents with little appreciation in return. It must be remembered that these representatives face real challenges in the absence of well designed and thought out guidelines related to what is expected of them when they engage in constituency work.

CONCLUSION

The important issue as to how the relationship between elected representatives and the electorate can be strengthened has prompted Khululekani to organise this conference.

As this appears to be a broad-based concern as well as a matter that is much larger than our own ability to implement change, we decided that it would be a most productive exercise to provide a space for those concerned about this issue to come together to discuss critically the available options and the route that should be taken to secure the future well-being of South Africa's democracy.

The Future of the Constituency System for Elected Representatives in South Africa

Smangaliso Mkhathshwa

INTRODUCTION

The most visible demonstration of the linkage between an elected representative and his or her citizens in modern democracies, is the manner in which the elected representative engages in constituency work with the electorate.

Between elections, this can be regarded as the glue which holds a democracy together. The nature and strength of the linkages between public representatives and citizens is a key foundation upon which effective, enduring, and stable democratic regimes are build.

In light of this, for the Khululekani Institute for Democracy to show leadership by initiating this opportunity for us to come together and reflect on the future of South Africa's constituency system, what should be done when we engage in constituency work, and what is expected of us by the people of South Africa, means that the Institute is being true to its mission of seeking to bring governance closer to the people.

To the conference participants: the reason you are here today is because you regard the future of our constituency system as an important issue. As I look around, I see we represent different political parties, academia and civil society. I think it is good that we can come together to discuss a matter which we all regard as equally important, irrespective of our different views on the subject.

Let your concern and effort to be here today, be used fruitfully in reflecting on how best we can seek to ensure that our elected representatives are able to give substance and visible content to what it actually means to represent those who have put their faith in elected representa-

tives to act on their behalf in that most public of places, the legislatures and government.

In taking this opportunity to discuss today these critical issues, let us keep in mind the search for a practical answer to the question as to how best our elected representatives can reflect the interests of our citizens in a manner that is both just and fair.

1. CALLS FOR CHANGE

I am sure you are all well aware of the fact that there have recently been increasing calls for change to our constituency system for public representatives in South Africa, and that these calls for change have come from political parties, civil society and the media. Let me be the first to remind my political opponents and the media that they do not have the sole monopoly on these calls for change and that the African National Congress (ANC) is not unaware or insensitive to the issue of its obligation to its constituents.

I remind you of former President Nelson Mandela's last speech to Parliament, in which he indicated the need to change to a more constituency based approach in consolidating the democratic gains that have been made in South Africa since 1994. The former President's statement should come as no surprise as this has been, and is still, very much a subject of concern in the ongoing debates within the ANC as to how we can best represent and serve the interests of our people.

Also, more recently and as an expression of this concern, you will note that a greater commitment has been made in the legislative programmes for elected members to engage in

longer periods of constituency work and stiffer penalties have been levied to those who see fit not to engage in any form of meaningful constituency work.

As to these calls for changes to our current system of proportional representation (PR), I would like to say that this conference is an opportunity for all us present – irrespective of our differences and strongly held viewpoints – to reflect critically not only on where we find ourselves now, but also on the potential consequences and implications that these calls for change hold for our democracy.

Unfortunately – or fortunately, whichever way you view it – I am not going to say much about the way I think we ought to go in terms of choice. I do not think it would be wise for me to abuse my position as opening speaker to influence the choice for a certain constituency-based system. That is the purpose and the actual work of the conference and I do not want to pre-empt this. But what I do want to say regarding this matter of choice is that in line with the spirit in which this conference was intended, I would like to encourage you all to use this opportunity to examine critically what system would best enable our elected representatives substantively and meaningfully to represent the interests and concerns of our citizens.

2. A COMPLEX EXERCISE

While it would seem – according to popular opinion – that the choice between constituency systems is a simple and straightforward exercise, I would like to argue that it is more complex; and it is one that can have significant consequences and implications for the manner in which we give expression to our democracy and the values upon which it is based.

I am aware that one popular argument for change has been concern regarding the lack of accountability of elected representatives to their citizens. This argument assumes that a simple transition to a full constituency-based electoral system as opposed to the party list system will resolve these problems of accountability once and for all. Another has been to suggest a mixed system with PR for public representatives at a national level, while implementing a constituency-based electoral system for provincially elected representatives, similar to the electoral system in Germany.

There is also a third argument which propos-

es that the current PR system should remain as it is, but with the provision that legislation is put in place to define and regulate constituency work, and that the democratic institution to which the public representative is elected, should be responsible for enforcing the law. A fourth is an argument in favour of retaining the system simply as it is, because the political price and consequences of what these other arguments propose are too high, both financially and in terms of negatively impacting on gender representivity, and political party diversity and representivity in our democratic institutions.

Whatever the option promoted or argument put forward, their merits or demerits, ultimately it is the action and the conduct of the elected representatives in engaging in their constituency work that will determine the success or failure of whatever future course South Africa takes with regard to its constituency system. And we should never lose sight of this fact.

I would like to add another dimension to the discussion that will be taking place today, that while we focus on critically examining the best possible system that will strengthen the democratic gains we have made, we should not ignore the role and conduct of those elected representatives who give expression to the system and who make it what it is. Just maybe, this is in essence the nub of the problem or the clue to the kinds of choices we as South Africans should make.

3. STRUCTURAL DIFFICULTIES

It is clear that structurally, we sit with a difficult mix of a party list system for voting public representatives to our democratic institutions, while at the same time making provision for these representatives to engage in constituency work, as provided for in the Funding of Political Parties Act. This has led in some respects to considerable confusion and abuse in the implementation of constituency work by elected representatives who are often unaware of the role and function they should be playing in terms of their constituency work.

While part of this problem could be structural, it is also to a large degree influenced by a scarcity of information as to what exactly is involved in constituency work.

In this regard, South Africa finds itself by no means in a unique situation in terms of a lack

of clear guidelines for effective constituency work. Norton (1994:705) in his article on the “Growth of the constituency role of the MP in British politics” writes that: “The relationship between members of Parliament (MPs) and their constituencies is subject to no formal rules. There is no official job description. What constituents appear to expect of their MPs and what the MP has done over the years in response to the demands, or perceived needs of the constituency have varied.”

This, however, should not be read in terms which indicate that any exercise in engaging in constituency work by elected representative is doomed to end in chaotic and abject failure. It has been well documented in the media that many South African MPs in spite of an absence of clear guidelines, have had to discover heuristically, through trial and error, what makes a good constituency member.

What makes a good constituency member is difficult, perplexing and confusing to define. Many of us are called on to play a multitude of roles within a constituency: welfare officer, development facilitator, postman, powerful friend, benefactor, safety valve, listener, redresser of wrongs, teacher, etc. In the end, it is the constituents themselves who ultimately decide the roles that we as elected representatives must play. Yet it is a decision that can

only be exercised on the basis of an elected representative who has established a visible and tangible presence in a community.

No constituency system, no matter how well designed, can meaningfully be implemented without such a presence of the elected representative in the life of the constituency. No system – no matter how ingenious or sophisticated – can replace or substitute the active involvement of the elected representative in the life of the community. The question we should therefore be asking is: which constituency system would be most likely to ensure that elected representatives take seriously all of the roles they must play in the life of a community?

CONCLUSION

In the course of your deliberations today, I encourage you to reflect on these and related questions pertaining to what it means to represent substantively the interests and welfare of our people, and what values we should hold as important and significant in giving content to our democracy.

This is an important issue because the question as to the nature and strength of the linkages between public representatives and citizens is often the key foundation upon which effective, enduring, and stable democratic regimes are built.

Do Constituency Systems (Partial or Full) Necessarily Entail Greater Accountability by Elected Public Representatives Towards Citizens?

Carl Werth

INTRODUCTION

The proportional list electoral system used in South Africa has met most of the criteria set at the World Trade Centre Codesa multi-party negotiations held at Kempton Park in 1993/4, except that of accountability to the electorate. A system based 60% on constituency and 40% on a proportional list should, however, provide greater accountability by public representatives towards the electorate

The pursuit of a broad-based democratic system was all-pervasive at the Codesa talks, which culminated in the Interim Constitution. This broad-based democracy sought to cast the franchise net widely, to give the parties a fair share of seats directly proportionate to their support and not to disadvantage small parties. It was under this Constitution that the general election for the first government of the new South Africa took place on 27 April 1994.

There were many reasons militating for a proportional representation (PR) system rather than a constituency-based system, among them:

- The desire to ensure that the smaller political parties were not summarily eliminated by the big ones. This was also the reason why a threshold for winning representation in the National Assembly and provincial legislatures was not set.
- The desire to cast the franchise net as widely as possible.
- The difficulty in registering rural voters without a “normal” address.
- A fair division of the Parliamentary and Senate seats to the various parties according

to the actual percentage of votes obtained by each party.

- The difficulties in administering a first election without an up-to-date voters’ roll.
- The desire to avoid a winner-takes-all Westminster style of government.
- The sincere desire by all parties to elect a peoples’ government accountable to the electorate, which would provide service to the electorate.

Some of these objectives such as smaller parties achieving representation, casting the franchise net wide, bringing the vote to rural districts and dividing seats on an equitable basis, have been admirably achieved. Others have not, particularly the latter – i.e., a peoples’ government accountable to the electorate, which would provide services to the electorate. This is because of a lack of commitment by elected public representatives to the problems of the individual voter.

1. THE CONSTITUENCY ELECTED MEMBER

In a constituency-based system, the public representative so elected emerges from the grassroots of the community, is nominated within the party by grassroots members and is then elected to office by citizens residing and registered in the constituency.

The public representative is consequently charged with a responsibility to the community who elected him/her. The person is also ever-aware of the consequences of a lack of service delivery to the constituents who elected him/her, i.e. losing the next election. The pub-

lic representative therefore takes every necessary step to ensure service to the constituency, thereby ensuring his/her re-election.

This means that the public representative will live in the constituency, keep an office in the constituency, regularly visit the constituency office and provide assistance, support and service to the general public.

Proclaimed “constituency weeks” are not necessary, as the public representative will make appointments to meet constituents at the constituency office and deal with their problems immediately. Constituency service is an integral part of the job, and does not call for any special rules.

As this person is a part of the community, criticism is acutely felt and remedial action by the public representative to provide the required service to his/her constituents is a direct consequence thereof. Very little, if any, disciplinary action is required by the party structure or the Whippery to keep the public representative on his/her toes.

2. THE PROPORTIONAL LIST ELECTED MEMBER

This person is elected from a PR list which is compiled by the party and in which party stalwarts are rewarded by being placed in an electable position. Although the compilation of the list is conducted via a democratic process in some parties, in others it is reliant solely on the beneficence of the leadership. Political debts are repaid and even personal debts settled.

The candidate so nominated and elected does not necessarily enjoy the support of the community at grassroots level. The public representative therefore has no real or binding obligation to the electorate; they are simply the source of the votes required to place him/her in a job.

His/her campaign is only a small part of the party’s national campaign and, although the candidate may be involved in some on-the-ground electioneering and canvassing for the party, his/her personal campaign makes no measurable promises or commitments to the community other than those given by the party.

In the current milieu, the campaign for a general election at national and provincial level is in the main conducted via the electronic media. Television has become the medium of first choice. It is recognised as having the greatest impact on persuading or swaying the voter. That is why parties vie for exposure on televi-

sion news and for participation in television debates as the major thrust of their campaign. This means that only the very senior party members, such as Cabinet members and provincial leaders, enjoy any meaningful exposure. In fact, the entire campaign tends to centre on one person, the party leader. This was amply demonstrated in the 1999 Parliamentary campaign which was dominated by three, or perhaps four, personalities.

The “back-bencher” candidates enjoy no media exposure to speak of, which means that, even in their own communities they are practically unknown to the voters.

The only commitment to the individual voter is, therefore, that made by the party in its generic manifesto.

It is a moot point whether the public representative chooses to honour these commitments after the election. It is in the hands of the party Whips or other disciplinary party structures to exert influence on the representative to fulfil these duties. However, with even the best of schedules and discipline from the Whippery, public representatives will find ways to avoid doing this duty, or other less desirable activities in their curricula.

The constituency week concept is not a success. It implies that all problems experienced by voters can be put into cold storage to be brought out and dealt with at a more opportune time. This causes frustration and anger among voters, who see their own problems as being of the highest priority.

A further major deterrent to constituency week activities being undertaken with enthusiasm, is the fact that public representatives are home for short periods of time and family matters, which by the very nature of the representatives’ location in Cape Town or the provincial capital, become the first priority when these representatives are home over weekends and at recess time.

Professor Willem Kleynhans, quoted in the *Pretoria News* of 23 April 2000, says:

“PR is a farce and all the parties are misleading their followers. It makes a mockery of so-called people’s government ... Accountability has gone out the window and along with it, good governance.”

CONCLUSION

The Democratic Party (DP) believes that, in the

circumstances prevailing in South Africa, the interests of the electorate would best be served by a blend of the constituency-based system and the proportional list system, wherein 60% of public representatives are elected from constituencies and 40% from a proportional list. The proportional list would serve to “round off” party representation so that parties are fairly represented by a share of public representa-

tion equivalent to the percentage share of the vote secured in the election. This would be particularly important to smaller parties who are unable to win constituency representation on a first-past-the-post basis.

The DP therefore believes that constituency systems, whether partial or full, entail greater accountability by public representatives towards citizens.

Proportional Systems of Representation: Reflections on the South African Experience

Sipho Seepe

INTRODUCTION

This conference comes at a time when South Africa's political landscape has changed dramatically. To resist the temptation of getting bogged down with the theoretical and philosophical underpinnings of various models of representation, this paper is prefaced with a reflection on the political landscape, thereby locating itself within the context and realities as they unfold in the country. A few developments are worth mentioning in this regard.

1. THE POLITICAL CONTEXT

First, the political landscape is characterised by the dominance of the ruling party. The African National Congress (ANC) was returned to office with an overwhelming majority in the 1999 national elections. This victory effectively sealed and/or signaled the end of pluralism in black politics. None of the black opposition parties can mount any effective challenge to the ruling party. On the other hand, we have seen a growth in the official opposition represented by the Democratic Party (DP), which, for historical reasons, remains a predominantly white party. The recent merger of the DP and the New National Party (NNP) entrenches further the black and white divide. These shifts represent a setback to the transformation project of de-racialising South African society.

Within the ruling party, certain worrying developments that may influence the deepening of democracy have also taken place. While the ANC Alliance entrenched its hegemony politically and ideologically, the past five years also brought new opportunities and possibilities for many cadres as they ascend to positions of

power and influence. The trappings of power – accompanied by tangible material benefits – ushered in an unhealthy period characterised by a dog-eat-dog syndrome as comrades vied, lobbied, jockeyed and back-stabbed each other for leadership positions. Political idealism – the spirit of altruism and democratic principles – were sacrificed and replaced by the politics of self-interest.

The second development within the ruling party was the decision of its National Executive Committee to de-link the positions of the premier from that of the party's provincial chair. This decision had the effect of entrenching the presidency with inordinate power and influence. The decision to de-link the positions, it was argued, will address the growing spirit of careerism in the organisation. "Careerism" has, however, not been solved by circumventing the expression of the will of the people. Instead we have seen the emergence of a new form of careerism characterised by praise singing and uncritical loyalty. This new form has simply moved influence closer to the throne, and curtailed the public expression of independent thought within the ruling party and government. It is sad to note that the only time ANC members are quoted in the media is when they agree with, or sing praises to, the President. Otherwise they prefer to be quoted anonymously. One may simply refer to the deafening silence that followed Mr Mbeki's position on HIV/AIDS. Thus, instead of deepening democracy, wherein people decide at a provincial level their leaders, the de-linking of the positions above has led to a growing consolidation and centralisation of power in the

presidency accompanied by self-censorship within the organisation. The excuse that robust debates are taking place behind closed doors is unconvincing.

Parliament has also been reduced to a place where a majority roughshod minority concerns. One moment the ruling party commits itself to transparent government, the next it “comes up with proposals for parliamentary question time whose effect would be to curtail opposition parties' ability to hold the presidency and Cabinet to account”.

2. PARTY DISCIPLINE AND DEMOCRACY

These developments, which seem to place truth, freedom of expression and party discipline on a collision course, prompt an urgent critique of the prospects for the growth and deepening of democracy as enshrined in our Constitution. The promise of the miracle of the rainbow nation was premised on the assumption that with time, the general populace and those previously on the margins would begin to impact on the overall national agenda. This assumption derives from the long-standing declaration to make the voice of the people supreme in the configuring of our beleaguered society.

Indeed, one of the most politically sublime declarations of the Congress Alliance as embodied in the Freedom Charter has been that in the new South Africa, “the people shall govern”. An understanding of this noble principle is that it was meant to put the sovereignty of the populace above the government of the day or any individual political party. Based on this interpretation, the question then becomes, in what form, at a constitutional level, will people's sovereignty over political parties and the government be exercised? This constitutional question directly challenges a number of assumptions that seem to have informed the drafting of the final Constitution of our country.

Broadly speaking, the two major forms of democratic representation are the proportional representation (PR) model and the constituency-based model. South Africa opted in 1994 for an electoral system of PR instead of a constituency-based model. Political developments have since questioned the wisdom of retaining this model of representation in the final Constitution. Indeed, some political commentators have suggested that the retention represented a historic setback for democracy in South Africa.

In the South African system of PR with a closed party list system, the political party is incredibly powerful. When it comes to who appears on the party list, the party elites may, and often do, have the final say on the list. Coupled with this is the attendant practice in which members are forced to vote in accordance with party positions even when their consciences suggest otherwise. In a country where one party represents an overwhelming majority with no significant opposition, such a requirement creates an atmosphere of muzzling the exchange of ideas; the effect of which is to prevent members of Parliament (MPs) controlling government.

In other words, the model translates the sovereignty of the people over to the political elites, and in fact even undermines prospects for the people's meaningful participation in the democratic process itself. In its crude form, the proportional vote model limits individual community's choice in respect of how they would like to be represented in the national/provincial governance structures. The most glaring example has been the removal of Mathews Phosa and Dr Motshekga as candidate premiers. These two were removed in spite of (or to spite) the overwhelming support by their provincial structures. At yet another level, the model tends to entrench excessively the influence and the powers of an already powerful hierarchy within individual parties.

Given a constituency-based model, one wonders what the outcome of “the will of the people” would have been regarding Phosa and Motshekga – both of whom had substantial support within the provincial structures of their party and whose fate had to be decided by individuals with rather intangible support bases. In all these cases, this happens without broad consultation with their well-defined constituencies that effectively put them in their respective positions in the first place. Obviously the will of the people was totally usurped by the party elite. A move to a constituency-based system would be a learning experience for the ANC that has since been accused of ignoring the wishes of its own members, let alone those of people outside of their elite structures.

In our system of PR the electorate does not vote for individuals, but for a party. As a result we may have provincial and national leaders who would not have made it if the votes had

been based on a constituency-based system. The question that must be raised is whether the electorate, indirectly or through the party, should have any influence on executive appointments. Indeed, had the party structures been in a position to influence executive appointments, the wanton shuffling of executive positions at national and provincial levels after the 1999 elections might have been avoided. At the moment, no justification has been provided for such shuffling. While in many systems, political customs, interest groups and other realities constrain the executives in this exercise of power, it would appear that they are not strong enough in our country. For this reason, attention should be paid to the inner workings of the political party. Given our experience, there is a need to revisit ways to expand on intra-party democracy.

The illustrations above show that the present model will stunt the development of diversity of opinion, and thereby the maturing of democracy within individual parties. Patronage has inevitably become the dominant mode of operation as loyalty to party hierarchies becomes a safe route for all aspirant politicians. The crippling effects this has had in the rest of the continent cannot be overstated.

To belabour the point further, individual party representatives will always be under the party whip on all matters that are taken to the vote, even when issues of principle, not policy, are at stake. One can easily allude to the legislation dealing with abortion, in which instance members were expected to vote according to the position of a party, not their conscience, as was the case with the ruling party. A different incident, but equally disturbing, relates to the Public Protector's recommendation regarding Premier Ndaweni Mahlangu's statement on "political lies". The reluctance and failure of the Mpumalanga legislature to deal decisively with its Premier, despite nationwide protest – aside from making a mockery of Mbeki's commitment to honest government – is indicative of what happens when members are not permitted any opinion outside the party line, as determined by the party elite. The country is still reeling with disbelief at the President's virulent and uncontrolled attack on those who called for the axing of Premier Mahlangu. Mahlangu's critics were accused of remaining "true to the precepts of a theology which knows no forgive-

ness, no compassion, no humanity, to which the notion of 'the quality of mercy' is foreign". It seems to have escaped the President that Mahlangu was criticised by a whole cross-section of South Africa – including those who had fought valiantly against apartheid injustices, the likes of Desmond Tutu, Beyers Naude, Barney Pityana and Selby Baqwa.

A related example is the HIV/AIDS debate. The Gauteng legislature recently debated a motion brought by an opposition party that called upon the MEC for Health to draft a proposal for the administration of antiretroviral drugs to pregnant women with HIV. In a constituency-based system there may have been an obligation on members of the provincial legislature (MPLs) to interact with their constituencies, provide them with information, hear their views, and come back to the legislature to represent those views, as diverse as they might have been. In our practice, which elevates the party above the people, the party – or in this case the Mbeki line – was obediently followed. The motion was defeated by the ANC. Such obedience and loyalty can be taken to immoral extremes. The Presidential Spokesperson was recently reported as saying (in relation to the Boesak affair) that if it were in the interests of the ANC for him to lie in a court of law, he would do so.

These examples are presented to illustrate cases where party loyalty has been elevated above national interests. The suggestion is that individual party representatives should have the latitude to vote even against their party where they feel that national interests (or when mandated to do so by the constituency they have been elected to represent) may be subsumed or compromised by sectional interests. Furthermore, such dissent should not be construed as a betrayal of the organisations. Democracy cannot flourish in an environment that does not promote freedom of expression. Members of political parties should feel free to engage robustly in debates within and outside their party structures.

3. CONSTITUENCY-BASED MODEL

In contrast to the above, a constituency-based representation model holds greater potential for South Africa. In this case, every parliamentarian has to be chosen by a specific constituency, and to which they will ultimately be account-

able for their overall performance. In this system, although parties nominate candidates, those elected become representatives of their community. In turn, the MPs themselves will keep abreast of the concerns of the communities, and thereby clearly articulate their concerns. One fundamental benefit from this process is a deepening and consolidation of the democratic process.

CONCLUSION

In light of the above, it could be argued that the constituency-based model provides a reasonable affirmation of the Congress Alliance declaration on the people's government (the people shall govern – power to the people). This model has the capacity to empower even the most marginal of our society, as they too will be in direct contact with national departments. This will be in direct contrast to the current trend in which only the privileged, the vociferous and

the select few seem to enjoy the “visits” and “report back” meetings of parliamentary representatives at all levels. In turn, local party structures will be elevated beyond mere electioneering and fund-raising machines. They would develop the capacity to impact forcefully on the policy dynamics within their representative national structures. In this model, our MPs – having a definite constituency mandate and a base – will be able to balance the needs of their parties on the one hand, and those of the nation and constituency on the other.

Experience suggests that sustainable changes are enhanced when small shifts are introduced to systems. It would therefore seem realistic to propose a model of representation that reflects and has components of both systems. PR has no doubt served us well into the transitional phase, but now our growing baby needs a bigger cradle. This conference may well represent the beginning of robust debate on the subject.

The Implications of Current and Potential Future Electoral Options for Political Diversity and Broad Political Representation in Our Democratic Institutions

Yolanda Sadie

INTRODUCTION

There is no such thing as a “best electoral system”. The choice of one electoral system over another can only ever constitute a qualified endorsement, an endorsement which reflects the system's balance of advantages over disadvantages and its strengths relative to other systems. The criteria for the choice of an electoral system basically fall into two general categories: those related to the quality of representation, and those linked to the effectiveness of government.

Majoritarian systems, as we know, are thought to be the weakest when evaluated in terms of representativeness. To a greater or lesser extent, each majoritarian system distorts popular preferences in the sense that party representation does not reflect electorate strength. The defence of majoritarian systems is more commonly based on the fact that such systems have the capacity to deliver stable and effective rule.

In contrast, proportional representation (PR) is far more representative, although electoral fairness cannot simply be equated with proportionality. For instance, much of the criticism of proportional systems stems from the fact that they make coalition governments much more likely. Although it can be argued that, unlike single-party governments, coalitions enjoy the support of at least 50% of the electors, their policies are typically thrashed out in post-election deals, and are not endorsed by any set of

electors. Multi-party coalition governments that PR usually produces therefore run the risk of being unstable and unable to implement coherent policies. An additional danger is that parties within a coalition government may not exert influence in line with their electoral strength. The classic example of this is when small parties can dictate to large parties by threatening to switch their support to another party, thereby breaking a majority coalition – a situation in which the tail wags the dog. Coalition governments can also be weak and unstable. They are constantly engaged in a process of reconciling opposing views and are always prone to collapse as a result of internal splits. The classic example in this regard is Italy, which in a period of 30 years has had no fewer than 55 governments.¹

Electoral system design is increasingly being recognised as a key lever that can be used to promote political accommodation and stability in ethnically divided societies. The choice of an electoral system therefore has powerful consequences. The evidence from newly democratised states in Southern Africa strongly suggests that divided societies need PR rather than plurality/majoritarian systems – the prevailing wind is therefore clearly blowing in favour of PR despite the major criticism against it that I have mentioned above.

An electoral system must function within a given social and political context and the choice of such system must take this context

into consideration. This obviously applies to South Africa as well. No electoral system is a panacea. The task is to find the most appropriate system and adapt it to the needs of the new democracy, achieving a balance between representatives, a coherent government, an understandable ballot (simplicity) and a high level of accountability of government and members of Parliament (MPs) to their constituencies. It appears that the issues surrounding the voter representative relationship and constituency representation are the most important ones in South Africa's electoral reform debate.

But let us take a closer look at the present electoral system and identify the advantages, the limitations and how the system can be improved. As is well known, South Africa presently follows the party list system of proportional representation, also known as the "pure proportional system" which aims at attaining the highest possible degree of proportionality without natural superficial hurdles (the size of constituencies or thresholds).

1. SOUTH AFRICA'S PRESENT SYSTEM: A BRIEF OVERVIEW

The 400-member National Assembly is elected as follows: 200 members of the National Assembly are elected using national party lists, while the remaining 200 members are elected on the basis of regional party lists – each region or province is entitled to a fraction of the 200 members in accordance with its relative population size. Nine provincial legislatures are also elected, and the size of each is about double the number of regional representatives a province has in the National Assembly. The size of each provincial legislature also reflects the relative population size of the province, with the provision that provincial legislators shall have a minimum of 30 and a maximum of 80 members.

Members of the National Assembly and the provincial legislatures are elected proportionally in terms of a closed ordered party list system which seems to be easily understood by voters, particularly the feature of the percentage of votes being translated directly into the percentage of seats. Each voter is accorded two ballots: one for the National Assembly and one to be used for electing members of the provincial legislature. Voters can only cast their vote for a political party; no candidate preference is provided for. In both the 1994 and 1999 elections,

voters did not seem to have a problem with understanding the purpose of the double ballot. Seats are then proportionally allocated at both regional and national level in terms of the so-called Droop Quota. Smaller parties with regional support are not disadvantaged by this method, while smaller parties with a country-wide support can also benefit from this method of national allocation. The minimum votes required to win a seat – i.e., the threshold – is extremely low. In fact, some thresholds are among the lowest in the world. The threshold which is mathematical and not legally established, varies for the regional and national lists respectively. The thresholds of the provincial legislature are about half of those for the National Assembly. In the case of Gauteng, for example, the threshold for the National Assembly is approximately 2.12%, while the threshold for the Gauteng provincial legislature is about 1.35%. The threshold for the National Assembly as a whole is 0.25%.

2. ADVANTAGES OF THE PRESENT ELECTORAL SYSTEM

The first advantage of the party list system of PR is that it in principle accurately reflects the salient political division in society. Its high proportionality in election outcomes is therefore the most obvious advantage. List systems of PR are also highly recommended by experts on deeply divided societies.² The high level of representativeness fosters legitimacy of the political system, since minority groups can and are represented. Even today it is no exaggeration to claim that South Africa is still one of the most deeply divided societies in the world. Different racial and cultural groups exist side by side and this is further complicated by the unequal distribution of wealth between the various groups. At present the racial and class divisions in South Africa still correspond to a large extent.

Secondly, the list system is simple and easily understood by the average literate and numerate voter: in other words, it is a user-friendly system.

Thirdly, the very low threshold facilitates representation of small political parties. This is evident from the low threshold of votes needed to win seats in the National Assembly, namely 0.25% (1/400). This low threshold also contributes to the fact that fewer votes are "wasted".

In the fourth place, the absence of constituent-

cies excludes the possibility of the gerrymandering of constituency borders, a phenomenon that can deepen divisions among groups.

3. LIMITATIONS OF SOUTH AFRICA'S PARTY LIST SYSTEM

The first serious concern of the present electoral system is the strong power placed in the hands of the party leadership in that no legal or constitutional provision is made for party list candidates to be selected by an internal democratic procedure of nomination by the party concerned. This could easily lead to oligarchical control of the party by its leadership and is not in line with the general principles of a free, open and democratic society enshrined in the Constitution.³ Furthermore there is no guarantee that a party will nominate candidates who will be representative of the diversity of their supporters. Parties in South Africa increasingly draw support from the different race, class and ethnic groups and are no longer limited to the support of a particular group. And we have not begun to address the issue about women voters who are not adequately represented. This is, however, the theme of a later panel.

In addition, party members will no doubt seek listing by party bosses as a first priority. They are therefore primarily accountable to the party, and there is no way for the voter to discriminate between a party and its candidates. This strengthens party bureaucratic and centralist tendencies.

The second serious concern is the lack of accountability of representatives to the electorate. Political accountability represents a broad two-dimensional concept that denotes both answerability – obligation of MPs and other elected representatives to inform the electorate about their activities and to justify them – and enforcement – the capacity to impose negative sanctions on party members who violate certain rules of conduct. These characteristics must be present in all instances in which accountability is important.⁴

In the present system, MPs (also provincial legislators) are not accountable to specific electoral constituencies. In addition, there is a lack of candidate-voter identification within a specific geographic constituency: ordinary voters do not know who their MP is and this can lead to their alienation from the party political system.

The present system of using party constituencies (the *post hoc* allocation of constituencies to party members after an election) does not function satisfactorily at all. This has already been reflected in a representative country-wide survey conducted in 1999 by the Human Sciences Research Council (HSRC) and the Khululekani Institute for Democracy, which found that 91% of respondents seldom or never make enquiries at a parliamentary constituency office.⁵ The same survey found that 73% of South Africans do not feel well informed about Parliament and 72% have no knowledge of the policy-making process. Obviously there is a lack of accountability.

The lack of candidate-voter identification can also lead to unconcerned MPs seeking to please the party leadership rather than the interests of their constituencies.

Another serious problem associated with the *post hoc* allocation of representatives to constituencies is that the number, size and boundaries of each party's constituencies differ from those of other parties. It is quite possible that with 13 parties represented in Parliament, a voter might find himself/herself living within the virtual boundaries of a few parties serviced by different party representatives.

4. BROAD OPTIONS AVAILABLE AND THE PROS AND CONS

Three broad categories of opinions are available from which to recommend an improvement to the electoral system of the National Assembly.⁶

Firstly, retaining the present system. This will, of course, imply that the shortcomings that I have pointed out above will also be retained. The advantage will be that the system which successfully changed the face of South African politics in 1994 and has a symbolic value to the people, will remain in place.

Secondly, introducing an entirely new system with new principles and procedures. The advantage is that it can address all the problems experienced with the present system. The disadvantage is that it will bring about new uncertainties among the electorate and will require new voter education coupled with political risks. Lastly, retaining the present system with its advantages and eliminating the shortcomings. This seems to me the most appropriate option. It will be less disruptive to the elec-

torate than changing the entire system and it will mean that symbolic significance of the present system will be retained.

5. A PROPOSAL FOR ELECTION REFORM

Various options have dominated the electoral reform debate in South Africa. Needless to say, a lack of time prevents me from discussing all these options. I would, however, like to discuss the proposal by Faure and Venter (2000)⁷ who argue for the a mixed-member proportional (MMP) system with single-member constituencies (SMCs) – 50% list seats and 50% constituency seats. This proposal complies fully with the 1996 Constitutional requirement that electoral results should be proportional (Section 46:1 (d)).

The electoral system proposed by Faure and Venter should be seen as a proportional system of representation with a geographical element. It is not a parallel electoral system of representation since the one category of the system (the list component) compensates fully for any disproportionality yielded by the outcome on the geographical or constituency category.

6. DETAILS OF PROPOSAL

- 200 of the 400 seats of the National Assembly be allocated to single-member (geographically delimited) constituencies.
- The remaining 200 seats be allocated according to national closed ordered party lists on a proportional basis (present system with no legal threshold).
- The use of two ballots: one for national PR and one for constituency candidates.
- Seats in constituencies be allocated by way of relative majority (first-past-the-post).

This proposal therefore does away with the principle that provinces collectively elect 200 members.

The number of voters per geographical constituency will be approximately 100 000, i.e., 20 million voters represented by 200 constituency seats.

Both votes are cast on the same day and on the same ballot. Voters are allowed to split their vote – they may vote for one party's candidate in their constituency and another party for the PR lists. Candidates should be allowed to run in both parts of the election. In other words, a candidate who loses in a constituency can still win a seat in the National Assembly via the PR list

vote if his/her ranking is high enough and his/her party draws sufficient votes. After an election, the constituency results are declared immediately and the parties know at the outset how many constituency seats have been captured.

Thereafter, the results of the proportional vote are used to:

- determine overall proportionality
- function in a compensatory manner and correct the disproportionality in the outcome of the 200 constituency results.

7. ILLUSTRATION

Constituency results (first-past-the-post):

Party A	130 seats
Party B	25 seats
Party C	45 seats
Total	200 seats

Assume that 15 million votes have been cast for the national PR lists. These results are used to allocate the remaining 200 seats for the National Assembly.

Party A	7.5 million	(50%)
Party B	5.25 million	(35%)
Party C	2.25 million	(12%)
Total votes	15 million	

These results are now extrapolated mathematically to the total of 400 seats in the National Assembly, but are in effect only used to fill the 200 list PR seats in a compensatory manner. In order to ensure overall proportionality, it is necessary to first establish the seat allocation for the entire Assembly in terms of national support. The overall allocation is as follows:

Party A is allocated	200 seats	(50%)
Party B is allocated	140 seats	(35%)
Party C is allocated	60 seats	(15%)
Total seats	400	(100%)

The final results are:

- Party A already has 130 constituency seats, but is proportionally entitled to a total of 200 seats and will therefore be allocated an additional 70 PR list seats.
- Party B already has 25 constituency seats, but is proportionally entitled to a total of 130 seats and will therefore be allocated an additional 115 PR list seats.
- Party C already has 45 constituency seats, but is proportionally entitled to a total of 60 seats and will therefore be allocated an additional 15 PR list seats.

It is suggested that provincial legislators be

elected on the same basis as the National Assembly.

8. FURTHER RECOMMENDATIONS

8.1 Introduce internal party democracy

Present electoral arrangements do not place any obligation on political parties to select parties to their lists by way of democratic procedures. Practices for doing this differ from party to party.

Parties should be required to conform to internal democratic practices. This will strengthen the bond between ordinary party members and candidates. After all, democracy entails that people should select their representatives and leaders competitively. Such internal democracy will ensure greater diversity in representation.

8.2 Allow a free mandate

Faure and Venter further propose that the principle of the free mandate for members of the National Assembly be introduced for those MPs elected from constituencies. They argue that the free mandate (to vote according to their conscience) is more democratic and that it is an important consequence of guaranteeing individual rights to citizens. If it is introduced, it will loosen the grip of party bosses on the conscience of representatives and it could lead to a more realistic articulation of issues and opinions in constituencies by candidates/representatives.

Furthermore, National Assembly members elected from constituencies should also be able to resign from their party but still retain their seats in the National Assembly.

8.3 Introducing the principle of recall

To further strengthen accountability of constituency-based representatives, the introduction of the right of recall of such representatives by the electorate in the constituency should be considered. The MP should also maintain the confidence of his/her constituency. Political parties can decide among themselves what conditions of a recall initiative in a constituency should be. If sound and reasonable procedures for this can be introduced, this will have an effect on the quality of representatives that are put up as constituency candidates, the service delivery in constituencies, and accountability in general.

9. JUSTIFYING THE ABOVE PROPOSAL

- There is no threat to the existing strength of parties – the proposed changes to the electoral system will give each party currently represented in Parliament the same number of seats, including the small parties.
- The combination of a constituency and proportional system is the best possible trade-off between requirements of proportionality and accountability that can be accomplished. Making half the representatives accountable to constituency approval is far preferable to having party bosses decide exclusively on this matter.
- The strategic splitting of votes as provided for in the proposal is an extremely effective method of reconciling national and local issues. In the proposal, voters could vote for a candidate on the basis of his/her knowledge and undertakings for the constituency, while still participating in a nationwide “opinion poll” to determine how many seats each party should have in the National Assembly. No purely majoritarian or proportional system can accomplish such a trade-off.
- This proposed electoral system is not necessarily more complex than the current PR list system.

The proposed system complies with the features of fairness, inclusiveness and representativeness. It will not exclude minorities and will ensure an extremely high degree of proportionality, on the one hand, while its very low threshold on the other, ensures accessibility of representation to minorities.

CONCLUSION

South Africa's electoral system needs to be reformed as there are a number of serious shortcomings, some of which have been pointed out. Changes should be made as soon as possible because the longer the present electoral system is retained, the more its shortcomings will be institutionalised, along with the negative implications this holds for democracy. Change should also be effected now so that the general election of 2004 can be conducted in terms of a new and improved electoral system.

A number of scholars and electoral specialists have come up with a variety of proposals for changing South Africa's electoral system. The proposal discussed here is similar to the systems used in the Federal Republic of

Germany, Hungary, New Zealand, the Welsh and Scottish Assemblies and which was recently introduced in the Seychelles. It therefore cer-

tainly cannot be argued that there is not enough research done on alternative electoral systems for South Africa.

ENDNOTES

- 1) See Heywood A. 1997. *Politics*, London Macmillan, pp. 214-222.
- 2) See Lijphart, A. 1991. The alternative vote: a realistic alternative for South Africa. *Politikon*, 18(2).
- 3) Venter, A. 1996. Proposal 2: proportional representation and ex post facto accreditation of members of Parliament. In de Ville, J. and N. Steytler, *Voting in 1999: Choosing an Electoral System*. Durban: Butterworth, p.77.
- 4) Schedler, A. 1996. Conceptualising accountability. In Schedler, A., L. Diamond and M. Plattner, *The Self-Restraining State*. Boulder: Lynne Rienner, p.14.
- 5) Khululekani Institute for Democracy and HSRC, 1999. Public Participation in South Africa, p.17.
- 6) Faure, M. 1996. Proposal 1: proportional representation and single member constituencies. In de Ville, J. and N Steytler, *Voting in 1999: Choosing an Electoral System*. Durban: Butterworth, pp.72-73.
- 7) Faure, M. and A. Venter. 2000. "Electoral systems and accountability. Paper read at the conference on Electoral Administration Southern Africa, University of Stellenbosch, 24-27 March 2000.

The Implications of Current and Potential Future Electoral Options for Political Diversity and Broad Political Representation in Our Democratic Institutions: The IFP Perspective

Sybil Seaton

INTRODUCTION

The reasoning behind South Africa's current electoral system should not be overlooked when evaluating the benefits or otherwise of alternatives. The electoral system was not born into a vacuum, but was part and parcel of a negotiated settlement, designed to give expression to a democratic system in which political diversity and representivity could flourish. The electoral system was an integral part of the 1993 constitutional package.

Moreover, one should note that the electoral system provided for in terms of the Interim Constitution was deliberately designed to outlive its parent, in that while the Interim Constitution had to be replaced within tight time constraints – and was indeed replaced with the current Constitution in 1996 – it was expressly provided for in the 1993 Constitution that the electoral system would serve not just for the first democratic election, but for the first National/provincial election – i.e., for the 1994 and 1999 elections. Such was the importance attached then to the foundational electoral system.

1. RELEVANCE OF THE SYSTEM TODAY

For a number of reasons there are initiatives afoot suggesting the need to review the status quo – this conference is part of that process. While it is important to take stock of where we are, let us not forget that the political impetus

behind the design and adoption of the present system might well remain relevant today. Certainly, if one seeks an electoral system intended to maximise party political diversity and to facilitate the broadest political representation of political parties in the legislative system, then the present system successfully gives expression to such a goal. The crux of the matter is that we have a party list system of great purity. In other words, all that is required to secure a seat in, for example, the national assembly, is a mere quarter of one per cent of the vote cast. This both encourages party formation and better enables existing parties to achieve representation in the national and provincial legislature.

2. PROS AND CONS OF THE PRESENT SYSTEM

Those critical of the present system tend, however, to concentrate less on the benefits accompanying strict proportionality and enhanced political pluralism than they do on what they perceive to be a host of negative considerations. In no particular order, these might include the following:

- There is no link between the political representative and the electorate other than the artificiality of party-created and party-delimited constituencies. Moreover, the constituency system is voluntary, lacks unity in application and it is unclear as to whom it is intended to serve.

- The system is not party dominant but is party-based, with no room for independence, restricting the electorate's choices. An individual seeking election and who is not aligned to a party, would have to create a party stand.
- The electorate has no choice in, or control over (other than by not voting for the party), the candidates on a party's list. The party machine does as it sees fit, rewarding those it chooses to and excluding those out of favour.
- The effect of the party ranking of candidates, together with a prohibition on crossing the floor, creates powerful party bosses. This is exacerbated by the threat of expulsion from the party, which automatically results in a loss of the representative's seat. Cumulatively, these force internal obedience and political conformity, and by precluding representatives from properly exercising their minds, it stifles the quality of debate and decision making.
- The system freezes the result of an election for a five-year period. This precludes changes in political representation reflective of what is actually happening on the ground. It also prevents the formation of new parties and the demise old ones.

Despite possible important omissions in this list, the message is nonetheless clear – i.e., that the present system is not ideal and that it needs revision. There are, however, positive aspects that need to be enumerated. The pros might include the following:

- Within the corridors of our legislatures, the system does not simply reflect existing political diversity, but with an entry threshold of only 0.25%, quite probably encourages diversity. In this respect, it is important to note the existence of 13 political parties in the National Assembly, up from seven in 1994.
- From the perspective of the electorate, voting is simple. It is true that there are, for example, typically three party lists, but as far as the voter is concerned, he/she only votes twice – for the national and provincial legislatures.
- The creation of lists and the filling of vacancies is simple. In respect to the former, the party nominates/elects and ranks candidates. In respect to the latter, no by-elections are

required – since the (amended) party list remains in place between elections, the next name on the party list simply moves up a place.

- The electorate appears to accept party dominance and the nature of a party representative's mandate. Loyalty to a party, to its mandate and its objectives are not considered objectionable or problematic.

There are, of course, many alternative electoral systems which could be considered. I have, however, no intention of undertaking an analysis of the pros and cons of every option; even less is it my intention to put forward any particular model. Rather, I believe it important to make the following points:

- There is no ideal electoral system. Every system has its advantages and its disadvantages. And while it is our task to weigh up relative merits or otherwise of any system, it is necessary to do so in the context of our experience as South Africans.
- There is little point in starting *de novo*. For better or for worse, we have a system which we have used twice, which the electorate has by and large bought into, and which is in certain ways reflective of our experience as South Africans.
- We must not change for ephemeral gains or simply for the sake of change, but rather with the aim of delivering measurable gains commensurate with our needs, tolerance and objectives.

CONCLUSION

It must be kept in mind that the electoral system selected in 1993 was chosen precisely because we sought certain objectives specific to our circumstances and our experience as South Africans. We must therefore ask ourselves whether those circumstances and experiences still apply.

I think that while there is room for improvement in our electoral system, it is important to remember that the objectives of political diversity and broad political representation were not short-term goals associated merely with a post transition to democracy; as if the issue is now no longer germane to either the furtherance of democracy or to current political discourse.

The Implications of Current and Potential Future Electoral Options for Political Diversity and Broad Political Representation in Our Democratic Institutions: The NNP Perspective

Francois Beukman

INTRODUCTION

The basic principle of the electoral system in South Africa can be found in Section 19 of the Bill of Rights with special reference to 19(2) and (3), namely:

“Every citizen has the right to free, fair and regular elections for any legislative body established in terms of the Constitution.”

“Every adult citizen has the right to vote in elections for any legislative body established in terms of the Constitution, and to do so in secret, and to stand for public office and if elected, to hold office.”

The system of proportional representation (PR) that is currently employed for the election of members of the National Assembly should be evaluated against the constitutional and political need for inclusivity and representivity.

As a member of the Constitutional Review Committee of Parliament, I believe it is essential that the electoral system be debated and discussed as part of an ongoing constitutional debate. I therefore commend the Konrad Adenauer Foundation for organising this conference. It is against this background that, during October 1999, the New National Party (NNP) initiated putting electoral reform on the Constitutional Review Committee’s agenda.

1. LINK BETWEEN POLITICAL ENVIRONMENT AND THE ELECTORAL SYSTEM

One of the most important principles underlying

ing a democracy is the fact that citizens are able to elect their government. This democratic process is structured by the electoral system, which lies at the heart of democratic government.

Much research has indicated that an electoral system should be determined within a country’s particular historical and politico-economic context.

The choice of an electoral system, especially in young democracies, can be one of the most important aspects of the constitutional process.¹ This is particularly true for states such as South Africa, where there are many diverse population groups. In a study analysing the ethnic composition of 147 states, Vanhanen indicates that no less than 88 states can be accurately described as ethnically divided. He postulates that some form of PR is necessary in such divided societies.²

Indeed, the literature demonstrates that majority and relative majority electoral systems do not encourage democracy in societies with great diversity. In most cases, variants of proportional systems are prescribed.

The strength of the democratic process depends on successfully capturing this diversity within the electoral system. The rules of the democratic game can be used in the nation-building process. As far as electoral systems are concerned, there are systems that reward cooperation and those that strengthen differ-

ences. In societies with diversity of political groups and interests, inclusiveness in Parliament is an important requirement. In order to manage conflict arising from such diversity, an electoral system that creates a zero-sum effect in party politics should be avoided. Electoral systems that encourage representation of all groups' and societies' interests should therefore be considered.

2. MAJORITY SYSTEMS VERSUS PROPORTIONAL ELECTORAL SYSTEMS

The debate regarding the importance of context and the need for inclusiveness in South Africa, continued unabated during the phase of democratic transition. In the constitutional debate before the approval of the Interim Constitution, several studies referred to the negative results that a single-member constituency with a relative majority system (first-past-the-post – FPTP) may have in a country like South Africa.

The most common points of criticism levelled against this type of electoral system include the following.³

- Minority parties are excluded from Parliament, creating particular problems for new democracies.
- It discourages potential candidates from the broader spectrum of society at the expense of those who are able to attract a great number of votes. In this way very few women are available as candidates.
- A great number of votes are wasted, including those polled by losing candidates and fragmented votes polled by a number of different candidates, even when these votes exceed 50% of the electorate.⁴
- It often politicises existing ethnic differences.
- Constituency borders are easily manipulated in the demarcation process, i.e., gerrymandering occurs.

Relative majority systems (winner-takes-all) found in the United Kingdom, India, Canada and some other Commonwealth states do have advantages. In these systems:

- a strong link is established between the representative and his/her constituency ensuring high voter accountability⁵
- a stable party system emerges centering around two strong parties
- extremist parties are excluded from Parliament
- a strong and effective government is elected

because a single party has a majority in the legislative assembly.

Underlying PR is the principle that a political party's representation in government should be in direct proportion to its level of support in an election. According to supporters of a proportional system, such system would:

- lead to a more inclusive system
- create opportunities for the representation of minorities
- ensure that the diversity of the community is reflected in the list of candidates
- lead to the representation of a greater number of smaller parties, putting the emphasis on negotiation and consensus in Parliament
- ensure that parties are represented in accordance with their level of support.

The disadvantages of PR include that:

- strong links between representatives and constituencies are broken down
- unpopular candidates who appear on party lists cannot be ousted by the voters
- party structures are strongly decentralised because the leaders compile the party's lists, ensuring junior members' loyalty
- the profusion of smaller parties can lead to weak and unstable governments.

There are several variants of the PR system designed to overcome some of these disadvantages.

3. THE CONSTITUTION AND SOUTH AFRICA'S PROPORTIONAL ELECTORAL SYSTEM

The Interim Constitution of 1993 settled upon a proportional electoral system, based on a national and sub-national party list, and was included in the principles that accompanied the 1996 Constitution. According to Schedule Four of the Constitution, the 34 principles of the Interim Constitution had to be obeyed in drafting the final Constitution.

Aside from the indirect references to electoral matters elsewhere in the Constitution, Principle VIII particularly states that "in general," there should be "proportional representation". In a discussion of this principle, one scholar came to the conclusion that "judged quite literally, those constitutional principles pertaining to electoral matters require that the final Constitution's electoral clauses provide for 'in general, proportional representation', and not necessarily that 'a system of proportional representation' be used".

The majority of these proposals made it apparent that the single largest problem with the 1994 electoral system, was voter accountability.

Many of these proposals supported a mixed-member proportional (MMP) system whereby a number of seats are filled by means of both geographical constituencies and party lists. The latter rectifies the possible disproportion that might develop on the basis of constituency. For example, the geographical constituencies can be single-member constituencies (SMCs) so that the system is MMP with SMCs; or they can be mixed-member constituencies (MMCs), i.e., the system is MMP with MMCs.

Many members of Parliament (MPs) share the general sentiment that there should be greater voter accountability included as an element of constituency representation. Despite this, the 1996 Constitution retained the wording of the Interim Constitution,⁶ as well as the controversial Section 43(b) of the Interim Constitution that prevents MPs from crossing the floor and switching their party membership whilst remaining in Parliament.⁷

After the 1994 elections, many of the larger parties allocated constituencies to their members on an informal basis. In practice, this appeared to achieve mixed success with the much-needed link between representatives and their electorate. However, this lack of voter accountability troubles parties across the political spectrum, with MPs neglecting their duty to explain their actions and not remaining open to criticism that might result from the current system.⁸ Furthermore, the system limits the link that parties should retain with their electorate on a macro level, in order to ensure their continued support.

4. POSSIBLE SCENARIOS FOR FUTURE ELECTORAL SYSTEMS

The political history of the majority of democratic states has demonstrated that states cannot simply change their electoral system. This convention was overturned during the 1990s as changes were made to the electoral systems of Japan, Italy and New Zealand. In Great Britain – the cradle of the FPTP system – the Labour Party appointed a commission in 1997 to investigate the electoral system, while Canada is likewise considering change. Closer to home, Lesotho is busy reforming its electoral system.

Two variants of this system, suited to the South African context, could be discussed further.

4.1 Example 1: A mixed-member proportional system with multi-member constituencies (MMP with MMCs)

A Parliament with 400 members. This would allow for approximately one representative for every 60 000 potential or 45 000 registered voters. (There are an estimated 24 million potential voters and approximately 18 million registered voters.)⁹

One hundred MMCs would be allocated to nine provinces, relative to their number of registered voters. The Independent Electoral Commission (IEC) would demarcate these MMCs, allowing three members per constituency, i.e., 300 out of the 400 MPs would be allocated to a geographical constituency. Although it is possible to consider MMCs with five representatives, the constituencies should be smaller rather than bigger.¹⁰

In order to accommodate provinces with large rural areas, 150 000 voters should be prescribed as a minimum and 200 000 voters as a maximum in an MMC. This averages 180 000 voters per MMC when using the 1999 registration figures.

Each voter has one single preferential vote. Any of the available proportional representative models of allocation could be used to allocate the seats to party candidates or independent persons. The remaining 100 seats would be placed on a national list in order to serve as compensating seats. These seats would be used to ensure that PR is achieved, judging from the estimate of the total support for parties at national level.

Seats would be allocated to parties according to their national list, so that a party's support and its representation are proportionate. Any of the available models of allocation could be used including Hare, largest remainder, Sainte Leaguë or d'Hondt. The minimum votes that a candidate polls in order to be elected would therefore vary between 0.25% and 0.33% of the votes cast, ensuring that smaller parties would be represented in Parliament.

This system has the following positive aspects:

- It provides the necessary voter accountability in order to focus on the needs of the voters. If

representatives do not give the necessary attention to their constituency, it would be possible for the voters to replace them.

- Fairness because proportionality is maintained.
- The compensating seats create the opportunity for parties to place minorities on their lists.
- Party structures are brought closer to the voters, due to the organisation of the nomination of candidates at constituency level.
- Parties are compelled to greater inclusiveness and a search for consensus at constituency level. The possibility for informal cooperation is created between parties, i.e., the formation of a cartel is encouraged.
- It is a simple system with only one ballot paper. One of the most important requirements in developing societies is that the electoral system should be kept simple.

4.2 Example 2: A mixed-member proportional system with single-member constituencies (MMP with SMCs)¹¹

A Parliament with 400 members. This would allow for approximately one representative for every 60 000 potential voters or 45 000 registered voters.

Two hundred SMCs would be allocated to nine provinces, relative to their number of registered voters. Each constituency would therefore have approximately 120 000 potential or 90 000 registered voters. The IEC would complete the demarcation. The remaining 200 seats would be placed on a party list. This proposal would entail a 200/200 division similar to that in the German system.

Voters would have two votes. Candidates would be appointed in the constituencies according to a simple majority system or relative majority system: an FPTP system. With the second vote, the voter would cast a vote for the provincial party list.

As in Germany, seats would be allocated exclusively on the basis of the second vote. All of the second votes would be added together

nationally and the 400 seats allocated according to that calculation using the d'Hondt formula. Unlike Germany where there is a five per cent minimum to be elected, no minimum is proposed here.

The seats that parties are entitled to per province would be calculated according to the "second votes". Thereafter, the seats won in the province on the "first vote" would be subtracted. Each party would have a number of seats per province, and could then allocate the compensating seats in order of rank, according to the party list. Each province therefore receives half of the seats in the form of FPTP constituencies, and the remainder in the form of proportional allocation from the party lists.

In essence, this system is a proportional electoral system. It would, however, entail a mixture of the advantages and disadvantages of the relative majority and proportional systems. Aside from the fact that a constituency's MP represents more voters, this system has to a great extent the same characteristics as a system based on MMCs.

The one big difference is that this system would be more complicated to the voter. Furthermore, the demarcation of smaller constituencies would create more opportunities for gerrymandering. These disadvantages would, however, cancel out the slightly greater voter accountability.

CONCLUSION

A mixed-member proportional system with multi-member constituencies could be a possible option for South Africa if the system is revisited in the future. As a possible option for discussion, a mixed-member system with SMCs could be considered.

With a system of MMCs, representatives would have greater voter accountability. Also, a stronger link between political parties and constituencies would be provided, improving the legislative power's control over the executive power.

ENDNOTES

- 1) For a discussion of this theme, see L. Diamond et al, Building and sustaining democratic government in developing countries. *World Affairs*, 1987;50 (I): 13-15.
- 2) See Vanhanen, *The Process of Democratization: A Comparative Study of 147 States, 1980-1988*. New York Cra-Russak, 1990: 188-90. Other authors sharing this point of view include A Lijphart, The alternative vote: A realistic alternative for South Africa, *Politikon* 1991: 18(2); and, D Horowitz, *A Democratic South Africa? Constitutional Engineering in a Divided Society*. Berkeley, CA: University of California Press, 1991.
- 3) For a good analysis of advantages and disadvantages of these different types of electoral systems, see A Heywood, *Politics*. London: Macmillan, 1997: 212-221.
- 4) In a single-member constituency with an FPTP system where there are, for example, four candidates, a person can theoretically be elected with as few as 26% of the votes cast. Therefore, approximately three-quarters of the voters are not represented. This is often called the winner-takes-all system. Great Britain exported this electoral system to virtually all its former colonies. Currently, eight of the 14 Southern African Development Community (SADC) states have a simple majority system and four have a proportional representation electoral system.
- 5) Barkan in: T Sisk & A Reynolds (1998): 57-70. The author emphasises this exact argument to propagate an electoral system for states in Africa.
- 6) See in this regard the survey conducted among MPs declaring majority support for a "mixed" system. R Calland & N Merton, Changes in electoral system put off to 2004. *Parliamentary Whip*, 1996, 17:1.
- 7) For an analysis of the possible explanations for retaining the 1994 system, see M Faure 1999: 12, op cit.
- 8) For the same argument, see S Mackay, Electoral systems: voters need more fire-power. *Synopsis* 1999;2(3).
- 9) For a discussion of the controversy surrounding registration figures in South Africa, see A Reynolds, *Election '99 South Africa*. Cape Town: David Philip, 1999: 177-179.
- 10) In two- or four-member constituencies, two larger parties can agree to have only one or two candidates, so votes do not get divided: R Taagepera & M S Shugart, *Seats and Votes: The Effects and Determinants of Electoral Systems*. New Haven, CT: Yale University Press, 1989:226.
- 11) See in this regard the proposal by B Reily, Electoral systems choice in post-1999 South Africa: an alternative model. Paper delivered at EISA Electoral Systems Roundtable Cape Town, 14-15 August 1998.

The Implications of Current and Potential Future Electoral Options for Gender Representivity in Our Democratic Institutions

Amanda Gouws

INTRODUCTION

The percentage of women represented in South Africa's Parliament is at present 29.8%. This puts South Africa seventh in the world with regard to the number of women in government, and this high rating is hailed as one of the success stories of the new South African democracy. Reasons for the large number of women in government can be traced directly to the proportional list system combined with a commitment by the African National Congress (ANC) to a 30% women's quota.

The present electoral system suffers, however, from a lack of accountability. It is mainly due to this problem that changes are suggested for the electoral system to switch to a constituency-based system or a combination of proportional list and constituency system. The question that arises is whether a different type of electoral system will also yield such a high number of women elected to Parliament. We therefore need to consider carefully what a change in the electoral system would mean for gender representivity. A look at cross-national research done on the impact of electoral systems on the election of women will shed light on this question.

1. DISTRICT MAGNITUDE

When thinking about combining a proportional representation (PR) list system with constituencies, the important factor to consider is district magnitude (number of seats per district). The district magnitude effects the party strategy for

choosing candidates (Matland, 1998:76). If the magnitude is one (only one seat per district) then the party cannot balance the ticket with regards to men, women as well as different races. This is what is called a single member district. In single member districts women have to compete directly against men. Research has shown that women do better when the ticket is balanced. If parties have to put up a woman as a single candidate, they also have to work against the bias of voters against women candidates. If the ticket is balanced, there is not only one candidate who has to appeal to the whole constituency, but more than one candidate who can appeal to different sub-sectors. In single member districts, parties often put up women in swing districts (districts they may lose) because the probability is high that they may lose the seat anyway and it is better to sacrifice a woman than a man.

Research by Darcy and his colleagues (1987:113) has shown that PR systems combined with multi-member districts elect more women than single member districts. The most important factor is the number of seats a party expects to win. Multi-member districts where parties can expect to elect three or more candidates seem to stimulate women's representation (Darcy et al, 1987:116).

2. MULTI-MEMBER DISTRICTS

Multi-member districts are more favourable to women. In these types of electoral systems women are backed by the party and campaign

costs are low for individual candidates. First-past-the-post and single member district election systems encourage two party development that needs a sizeable majority to win. These types of arrangements are the least favourable for women's representation (Rule, 1881:64).

Single member districts have the drawback that there is more emphasis on individual candidates than parties as candidates' abilities, experience and personal characteristics are closely scrutinised, with gender becoming an important factor (Norris, 1985).

Darcy and Schramm (1977:5) have also shown that in single member districts, incumbency plays a big role – voters will rather go with the devil they know than the woman they do not know. Single member districts without PR makes it very difficult to implement a quota system. Moncrief and Thompson (1992: 254) also found evidence of lower turnover in single member districts than in multi-member districts, which may not necessarily be healthy for democracy. The one drawback of multi-member districts is, however, that they dilute the strength of minorities.

3. PR BEST FOR WOMEN'S REPRESENTATION

Wilma Rule's (1987) comparison of the electoral systems of 23 democracies has shown that

the electoral system is still the best predictor of women's representation, combined with having a high percentage of women college graduates and a high percentage of women in the paid labour force (Rule, 1987:481). PR systems seem to be the best for women's representation. In non-list PR systems, parties are reluctant to nominate or endorse women. Non-list systems combined with single member districts – such as the United States, Britain, Australia, Canada and New Zealand – are the least favourable for women. In Germany's hybrid system, 16% women were elected from the PR list system and only 4% from the single member districts during one election. It therefore seems that the positive effects of the PR list system is overridden by the combination of the two systems (Rule, 1987:495).

Evidence by Matland (1998:77) of 24 legislatures between 1945 and 1998 also shows the increase of women in parliament due to PR. Molokomme (2000) has shown Southern African Development Community (SADC) countries which use PR systems as opposed to constituency systems, have far more women in government. (See table below.)

It therefore seems that the system most beneficial to women is a closed list PR system where the country is only one constituency – as

Women in Parliament and Cabinet in the SADC region

Country	Electoral system	Women in Parliament	% Women in Parliament	Women in Cabinet	% Women in Cabinet	Women dep. ministers	% Women dep. min.
Angola	PR	34/224	15.1%	4/28	14.3%	5/43	11.6%
Botswana	Const	8/44	18.0%	2/15	14.5%	2/4	50%
DRC							
Lesotho*	Const	10/97	10.3%	1/12	8.3%	0/2	0.0%
Malawi	Const	16/192	8.3%	2/22	9.0%	2/9	12.9%
Mauritius	Const	5/65	7.6%	2/25	8.0%		
Mozambique	PR	71/250	28.4%	3/21	14.2%	4/33**	12.1%
Namibia*	PR/Nat/C/Reg	19/99	19%	3/21	14.2%	5/22	22.7%
	PR/local						
S. Africa*	PR/Nat;PR and C/local	119/400	29.8%	8/27	29.6%	8/13	61.5%
Seychelles	Const	8/33	24.0%	3/14	21.4%	(No such posts)	
Swaziland	Const	7/95	7.3%	2/15	13.3%		
Tanzania	Const	45/275	16.3%	2/23	13.0%	3/23	13%
Zambia	Const	16/158	10.1%	2/24	8.3%	2/28	7.1%
Zimbabwe	Const	21/150	14.0%	3/21	14.2%	3/16	18%

* Upper and Lower House ** New figures not available Cabinet: Minister's only

Source: SADC Secretariat, Member States (Molokomme, 2000)

is the case in South Africa at present (Matland, 1998:80). However, owing to the power that such a system gives to parties as well as the accountability problems that arise where parliamentary representatives do not do constituency work, a switch to a constituency-based system seems necessary. The PR closed system combined with multi-member districts then becomes the most beneficial to women. (Open list systems give voters the ability to move names around. This is often to the disadvantage of women and it lets parties off the hook as they then are not responsible for the positioning of names.)

With PR the contagion effect will appear whereby parties adopt the policies of other parties, such as accepting a quota. In a PR system gains are greater because a small increase in votes by adding women to the ticket may result in a party winning more seats (Matland, 1998: 78). It is also easier to balance the ticket.

CONCLUSION

It would be difficult for South Africa to do bet-

ter with regards to women's representation with an electoral system other than the present one. The best case scenario is a closed list PR system combined with multi-member districts. A legislated quota will also be an enabling factor as it will help to balance the ticket and will enable women to get elected. Single member districts would be detrimental to women's election.

Other factors that usually make a difference to getting women elected are higher levels of education among women, more women in the paid labour force and the mobilisation of women.

With regards to the South African situation, the above mentioned first two factors will only change over time. Solving the problem of accountability with regards to the electoral system should not come at the expense of women's representation.

Serious consideration of women's position as members of the electorate should accompany any change to the South African electoral system.

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The Implications of Current and Potential Future Electoral Options for Gender Representivity in Our Democratic Institutions

Mihloti Mathye

INTRODUCTION

Electoral systems have an influence on women's participation in elections. It has been acknowledged that electoral systems are key variables in the political process in a democracy because, to a large extent, they determine who gets what, when and how.² The importance of the electoral system in determining how citizens participate and are represented is also widely accepted.

In this paper, I will share observations in terms of gender representation in the proportional representation (PR) electoral system, with particular reference to South Africa. Some references have also been made to the constituency based system. I refer to women as the basis of my discussion since it is common knowledge that while they constitute half of humankind, they are still under represented in decision-making structures (public and private), not always because they are unwilling to participate. I also highlight these experiences from a transformation perspective that our government (with all its different political parties and other structures) is committed to.

In a declaration signed by heads of state or government of the Southern African Development Community (SADC), a commitment was made to ensure the equal representation of women and men in the decision making of member states and SADC structures at all levels, and the attainment of at least a 30% target of women in political and decision-making structures by 2000.

The Beijing Declaration and Platform for Action requires that the state parties review the differential impact of electoral systems on the political representation of women in elected bodies and consider, where appropriate, the adjustment or reforms to such systems.

Schedule 2 part 1 of the Municipal Structures Act 117 of 1998 stipulates that parties must strive for equal representation of men and women on party lists and to ensure an even distribution.

1. IMPLICATIONS OF ELECTORAL SYSTEMS FOR GENDER REPRESENTATION

A major distinction between electoral systems is whether they can be described as PR or first-past-the-post systems. As indicated in the beginning, the type of electoral system used influences the number of men and women representatives. Debates on options regarding electoral systems tend to revolve around the degree to which a system meets such democratic norms as diverse representation, fairness accountability, equality and participation. I need to point out that increased representation of women can be enjoyed without having to pay the price of less effective decision making, as is sometimes suggested. The calibre of women ministers and deputy ministers in South Africa and the contribution they have made is testimony to this.

1.1 Proportional representation

PR describes a set of voting systems used in

most democracies in which individuals or parties gain office, in direct relation to their support among voters. The advantages of a PR system are well documented.³ In his study of 13 democracies from 1960 to 1980, Lijphart⁴ found that there was:

- generally a better minority representation
- much higher representation of women in legislatures (four times more)
- much higher voter turnout (a variance of approximately 10 percentage points)
- greater income equality.

Research has shown that the PR system results in greater numbers of elected women, and that greater numbers of women are elected in multi-seat rather than single-seat districts.⁵ In the seats contested on the basis of the PR system in the local government election of 1995, women won 27.9% compared to only 10.84% on the ward or constituency-based system.⁶

Criticisms of the PR system have included its “undemocratic” nature of taking away the voter's right to freedom of choice, which the constituency-based system supports. While this may be true, the advantages of the PR system in terms of diversity and representivity remain more attractive. The freedom of choice in the constituency-based system does not necessarily facilitate representivity. In fact there are deep-rooted obstacles to women's political participation, as will be highlighted later.

An electoral system alone does not often achieve improved representation for women. It is generally agreed that in order for women to participate effectively in any decision-making structure, a critical mass of 30% is essential. Quotas work well within the PR system, where representation is not based so much on geography but rather on political viewpoint or policy. Quotas are controversial universally, and the quota is one of the issues on which political parties in South Africa have not come to an agreement.

The PR system coupled with the (30%) quota policy of the African National Congress have, however, been responsible for the significant number of women in Parliament. Use of the quota in Tanzania, Mozambique and Uganda showed correspondingly high representation of women at national and local levels.

Arguments for using the quota to raise the proportion of elected women, include the following:

- the role model offered by successful women politicians
- justice between the sexes – identification of particular interests of women that would otherwise be overlooked
- women's different relationship to politics and the way their presence enhances the quality of political life.⁷

Within the SADC context, and particularly in South Africa, the quota has facilitated the following:⁸

- guaranteed representation of women in Parliament
- increased sensitivity about gender issues on the part of decision makers (facilitated by the critical mass of women members of Parliament)
- increased opportunities for women elected into political office to move up and create space for other women
- transformation of patriarchal relations
- active recruitment of women by parties.

1.2 Constituency-based electoral system

Women's participation in politics is still influenced by traditional practices and norms as well as society's perception of what the roles of men and women should be. The principal value of the PR system is that it allows progressive party leadership to override traditional sentiments against women's election,⁹ which are not easily addressed in a constituency-based system (a challenge for those who are driving the transformation agenda).

The obstacles that women have to overcome are rooted in tradition, the gender division of labour and access to resources. Despite the tremendous progress that has been made in terms of women's participation in decision making, politics remains a male domain in a number of ways.

A former parliamentarian noted that patriarchy, the ideology, system and practice of domination of women by men, permeate Parliament. These characteristics manifest themselves in the power attitude, culture and practices – indeed the structure and content of that institution.

If this is the experience of those who are already involved in political decision making, it must surely be difficult for those aspiring to office, especially in communities that still have to be educated about citizenship. Even then,

such education will not immediately erase perceptions of what men and women are meant to do, perceptions which still influence voting tendencies. These are issues that require long-term intervention and a transformation agenda, and cannot be changed overnight.

While some women get the support and encouragement of their families and political parties to run for office, others have to deal with family and traditional stereotypes (including role expectations) that discourage rather than encourage their involvement and participation in politics. The nature of our society is that men are more economically independent than women, who struggle through campaigns. Access to relevant information is cited by women as an obstacle to effective campaigning. Media exposure for women running for office is also something that still requires much work. In many ways the PR system absorbs these environmental “shocks”, and facilitates women's entry into political decision making. The constituency-based system seems to favour the privileged.

It has been argued that in the constituency-based system, reserving a minimum number of

seats for women does not automatically exclude male candidates from running and winning in the same electorate, and is democratic. In this case, adding female candidates to ensure gender balance would be widening rather than restricting the voter's choice.¹⁰ With the exception of the African Christian Democratic Party and the Pan Africanist Congress who achieved more than 30% female representation in the National Assembly without a quota policy, we know how parties have fared in terms of their commitment to principles of equality and participation. I think it is important to implement strategies (such as quotas) and to lobby for these to be legislated where necessary.

CONCLUSION

Whatever the system used, the implications for gender representation should be given serious consideration, even if it means legislating mechanisms to do so. In this regard the quota and the criteria for the funding of political parties are popular lobby subjects. This also mean that whatever the system used, political parties and their policies remain key in the transformation process.

ENDNOTES

- 1) Opinions expressed are those of the author and do not necessarily reflect the views of the Commission.
- 2) As quoted in Elections in Northern Ireland: systems for stability and success. Democratic Dialogue – Special Reports, 1992, p1 (www.dem.dial.demon.co.uk/elections.html).
- 3) See (a) A Lijphart, PR Vs. Single Member Districts in States: Testimony before the California State Legislature (www.mtholyoke.edu/acad/polit/damy/lijphart.html), (b) What is Proportional Representation? Centre for Voting and Democracy (http://www.fairvote.org/pr/q_and_a.html), (c) How Proportional Representation Election Works (www.mtholyoke.edu/acad/polit/damy/lijphart.htm).
- 4) A Lijphart PR Vs. Single Member Districts in States: Testimony before the California State Legislature (www.mtholyoke.edu/acad/polit/damy/lijphart.html).
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- 7) A Phillips, 1995, *The Politics of Present*. Clarendon Press. Oxford.
- 8) See presentations on the quota, from various countries in the Southern African Development Community report: Women in Politics and Decision-Making in SADC: Beyond 30% in 2005. Proceedings of a conference held in Gaborone (Botswana), 28 March to 1 April 1999.
- 9) S Hassim, 1999, The dual politics of representation: women and electoral politics in South Africa. In *Politician*, 1999, 26(2): 201-22.
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The Implications of Current and Potential Future Electoral Options for Gender Representivity in Our Democratic Institutions: The NNP Perspective

Juli Kilian

INTRODUCTION

This paper examines gender representivity – and therefore essentially the politics of women’s representation – in South Africa’s democratic institutions since the first democratic election in 1994. Before that historic election, parliamentary institutions in South Africa were predominantly male-dominated. This was also the case in many other established democracies around the world, making the issue of more balanced gender representivity in parliamentary institutions, relevant and highly topical.

1. BROADER PERSPECTIVE OF PRESSURE FOR WOMEN’S REPRESENTATION

During the centuries of evolution of democratic systems throughout the world, politics has remained male-dominated. Women were largely excluded from the public or political centres of decision-making and power, where decisions were taken that did not only impact on power relations but also directly on their everyday lives. Policies and legislation that had far reaching implications for women and their families were developed without their direct input or representation. This was probably largely due to women’s maternal, nurturing role in society, that resulted in them opting for the more private sphere of society, while men were allowed to control the public sphere. Perhaps it is more correct to say that society expected women to assume those responsibilities. Even today, certain sectors of society would prefer that women continue to fulfil that

role, rather than to accept a combination of the responsibilities of the public and private spheres of society.

To evaluate the “struggle” for gender representivity in Western democracies and institutions, the history of women’s representation in the United Kingdom (UK) forms a sound base of reference, since the UK is one of the oldest democracies. The UK also had a particular influence on the establishment of political culture in our country.

Women in the UK only organised themselves into pressure groups in the first year of the 20th century, less than 100 years ago. Emmeline Pankhurst formed the women’s Social and Political Union in 1903. Women over 30 were granted voting rights only in 1918. In 1919, the first woman member of Parliament (MP), Nancy Astor, won an election for the Tories.

Another well-known Tory, Margaret Thatcher, became the first woman to lead the Conservative Party in 1975, and in 1979 she became the first woman prime minister in the Western world. Other well-known women in politics were Golda Meir of Israel and Indira Gandhi of India, who both served as prime ministers of their respective countries. Golda Meir started her political career with her active involvement in the labour movement and in Zionist organisations. Indira Gandhi joined the National Congress Party of India and became active in her country’s independence movement at the young age of 21.

In South African political history, although women gradually became involved in local or

community politics, the male-dominated culture prevailed in most national and provincial political institutions. Women remained reluctant to enter national politics, where they could have had a greater influence on decisions affecting the quality of their lives and that of their families. The lone stalwart in parliamentary opposition for many years was Helen Suzman of the Progressive Party, later the Progressive Federal Party.

2. THE NEED FOR GENDER REPRESENTIVITY IN DEMOCRATIC INSTITUTIONS

Women comprise more than half the South Africa electorate. The majority of women live in very poor rural areas where they have to care for families, often with absent male family members who have migrated to urban centres in search of job opportunities.

The argument for gender representivity in democratic institutions must be seen against an analysis of the different viewpoints held by men and women on the issue of basic needs. Amanda Gouws¹ of the University of Stellenbosch analysed the gender breakdown of the Markinor-Idasa pre-election polls in 1999. These polls revealed that gender differences with regard to certain issues do exist. A higher percentage of women than men indicated that issues such as water and electricity provision, roads, poverty alleviation, etc. – i.e., quality of life issues that affect women and their families – were important. Interestingly, the difference in opinion between men and women shrank somewhat closer to the election, when political party election campaigns became more focused.

The Markinor-Idasa polls conducted during February-March and April 1999 respectively, also found differences between the voting intentions of men and women for opposition parties. In these polls, more women voters than men voters indicated support for the Inkatha Freedom Party (IFP) and the New National Party (NNP), but fewer women voters than men voters indicated support for the Democratic Party (DP). Political analysts believe that the support of a higher percentage of women for the IFP and the NNP may reflect a historical support base.

Awareness campaigns run by women's organisations in the early 1990s have undoubtedly had an impact on women voters. A gender breakdown of registration figures for the 1999

election, illustrates that in excess of 1.5 million more women than men registered for the 1999 election. A survey by the Commission for Gender Equality on why women participated in voter registration illustrates the link between women's lives and voting – women believe in general that voting will improve the socio-economic conditions of their families and neighbourhoods. They have come to realise that their vote could have an effect on what will happen to them between elections. The participation of rural women in the electoral process has undoubtedly improved since 1994. This is encouraging, seen against their important role to uplift their impoverished communities and the need to increasingly empower them to participate in the political process – not only when elections are held.

3. THE ELECTORAL SYSTEM

Many articles have been written and papers presented about the deficiencies of the current proportional representation (PR) list electoral system in South Africa. Critics of the system argue that its inherent weakness lies in diminished contact with citizens and the inaccessibility and ineffectiveness of parliamentary representatives. This could clearly undermine political accountability and effective representation of constituents.

The benefit of this system in a developing, multi-ethnic African democracy should, however, not be underestimated. The PR system ensures the inclusion of diverse opinions and communities in the National Assembly and provincial legislatures that cannot be obtained in constituency systems.

Just as this PR party list electoral system paved the way for an agreement on an interim constitution and ensured the participation of minority communities and political parties, such as the IFP in the 1994 election, it also holds the key to ensuring that minorities do not feel alienated or marginalised from political decision making in the future. This system also undoubtedly contributed largely to the growing number of women representatives in our democratic institutions. The replacement of this electoral system by another, could seriously jeopardise the consolidation of South Africa's democracy.

Compared to other electoral systems that try to accommodate minorities, where a number of

seats are reserved for minority or interest groups, the PR system is by far the best option. The allocation of a limited number of seats to accommodate representativeness of minority communities (to be nominated by the head of state or prime minister) can easily be abused. This can result in the Zimbabwe scenario where the leader of the majority party has in the past abused this provision, not to ensure inclusivity of minorities, but for political patronage to further strengthen his majority party. Constitutional amendments could have been pushed through by Mugabe after this year's election if the Movement for Democratic Change did not come a close second to ZANU-PF in the constituency count.

A proposed solution for the current detachment with constituencies and citizens in the closed-list PR electoral system, is to reform the current electoral system to a combination of the constituency-based and list PR systems. For instance, half the MPs and members of the provincial legislature (MPLs) could be directly elected in constituencies. This is similar to the new municipal electoral system that will come into effect with the local government election to be held later this year. Minority parties and therefore minority communities would, however, still lose out in such a system at national and provincial level. Women representation will also be detrimentally affected by such an electoral system.

An exercise conducted by Andrew Reynolds,² revealed that such a combined electoral system would have given the majority party an even bigger majority than its current two-thirds. The African National Congress (ANC) would have won at least 20 more seats than it actually did in the 1999 elections, with exactly the same share of the votes. Consequently, with the exception of perhaps the IFP, all other opposition parties would have had fewer representatives. On the basis of the 1999 election results, the majority of these directly elected members would be ANC representatives, who, on the evidence of constituency systems the world over, would be black South African males. To confirm this reality within the South African context, the results of the survey conducted in rural areas are most interesting. This survey was conducted as part of a study to evaluate land demand in our country in general,³ and to determine specifically in whose name land allo-

cations should be registered – in the name of the female head of the household or her oldest male son. Although, out of the total of 2000 respondents surveyed nationally, 28% of households were headed by women, only 4% male and 20% female respondents opted for registration in the name of the female head of household. This underlines the extent to which patriarchal assumptions about gender roles persist in our society.

Despite a mixed electoral system at local level for the past five years, the vast majority of residents in municipal wards did not even know who their councillors were, be they men or women. In many areas in Gauteng, residents had to resort to petitions submitted to the Gauteng Legislature to force some reaction from councillors and municipal officials who ignored their problems with impunity.

This alternative “mixed” electoral system therefore also has serious deficiencies. Firstly, it would create two distinct classes of MPs – directly elected constituency-linked representatives and proportional representatives. Secondly, it would undermine the growing political awareness of women voters as well as efforts to establish a gender balance in democratic institutions.

The shortcoming of the current PR list system can be overcome if political parties practice more diligent scrutiny and qualitative assessment of potential candidates. After elections, political parties should exercise ongoing monitoring, performance assessment and discipline over their public representatives. The mere opening of constituency offices in itself is not the solution – parties should develop systems to evaluate the performance of their public representatives in Parliament, but also as public representatives. A proper record should be kept of all requests and appeals by voters to ensure that party public representatives are forced to become more responsive to the needs of constituents.

The NNP in Gauteng has taken the initiative with the composition of their party list in 1999 – all aspirant candidates were compelled to sign an agreement, which would subject all public representatives at national and provincial level, to an ongoing performance assessment process. Specific constitutional provisions were incorporated to enforce the continuous assessment of public representatives, after it was identified as a major weakness of the current electoral sys-

tem. An appropriate party commission would investigate complaints from the public about alleged poor performance of a public representative.

A culture of effective representation should be nurtured in our young democracy. The *laissez faire* attitude adopted by some public representatives and the growing arrogance of some officials in administrations at municipal, provincial and national level, should not be allowed to go unchecked. Political and administrative accountability is what a democracy needs to flourish.

The current PR list system clearly presents a challenge for political parties to overcome, namely to find a solution to its greatest shortcoming – the absence of direct representation, or “faceless”, inaccessible public representatives.

4. PR FOR GENDER REPRESENTIVITY

As already stated, the PR list electoral system does not only present an opportunity for the inclusion of diverse opinion, but also for gender representivity. Amanda Gouws⁴ quotes from a comparative study of 23 democracies by Wilma Rule, where it was found that another electoral system – the PR list system in multi-member districts – was the best predictor for women’s representation.

This was regarded as an ideal system to ensure that proper gender balance would be achieved in democratic institutions. This electoral system provides for a combination of a PR party list system and a geographical constituency representation system. A manageable geographic constituency is determined, where voters can vote for candidates, and not only political parties. Parties would be awarded seats proportionate to their vote share, but candidates filling those seats would be the most popular candidate on a party’s given list. The practicality of this electoral system for South Africa should be explored further, bearing in mind that we still have to break down many vestiges of patriarchal power. Perhaps we should first build the capacity and strengthen the role of women in our democratic institutions before we place them on the electoral alter.

Only in 11 countries do women hold 25% or more of the seats. South Africa was ranked seventh after the 1994 election, when we achieved a 27.7% women representation in Parliament.

The average percentage of women in lower or single houses worldwide is 12%.⁵

According to Shireen Hassim of Wits University and the Electoral Institute of South Africa, in an article published in *Politikon*,⁶ the idea that women as a group constituted an electoral constituency, first entered South African politics in the early 1990s. The debate during the period focused mainly on a common goal for all women’s organisations to work for “inclusivity” – i.e. “getting women in” regardless of political ideology or the need to ensure that particular interests of different groups of women would be represented. This was the prime focus of the Women’s National Coalition, the umbrella body of the women’s movement since its formation in 1992.

The campaign to ensure that women would be included in democratic institutions was accompanied by efforts to maximise women’s participation in the election. Rural women were particularly targeted with voter education to ensure that patriarchal control and a possibility of violence would not exclude them from democratic processes.

The 1994 election became a watershed year for gender representivity in our country’s democratic institutions with women constituting a record of 27.7% of all parliamentarians elected. The percentage was increased to 30% in 1999 – for both National Parliament and the provincial legislatures. More women have been appointed to Cabinet positions after the 1999 elections.

The challenge for women parliamentarians would, however, now be to remain sensitive and susceptible to the needs of women and their families and not to be caught up in partisan party political interests. The danger still exists that women – once elected to democratic institutions – can become mouthpieces of their respective political parties that are still largely male-dominated. All policies and legislation, in short all decisions of democratic institutions, should be carefully scrutinised to determine their impact on the sustainable empowerment of women – both economically and educationally.

5. ADVANTAGES AND DISADVANTAGES OF GENDER QUOTAS

Credit for the improvement in gender representivity achieved in the 1994 and 1999 elections should largely go to the National Women’s

Coalition and to the ANC Women's League with their demand for a 30% women's quota for party PR lists. These processes have no doubt also alerted women in other political parties to the need for a balance in gender representivity. Many more women have since come forward to stand for political office at national and provincial level, notwithstanding the many sacrifices that they have had to make.

The mere presence of larger numbers of women – also in executive positions of government – does not, however, necessarily bring new styles of participation to legislatures nor does it change the hierarchical culture and practice of political systems. Only if a vibrant, participating civil society complements the electoral arrangements, will better gender balance be achieved. It is crucial that active participation by women in all government consultation processes be encouraged between elections.

The quota system can at best be regarded as a temporary measure to redress imbalances while a new political culture is developing. Quotas are fundamentally undemocratic. Firstly, set quotas determined at national level ignore cultural differences and rural-urban dimensions and realities in provinces. Practical problems of rural households should not be overlooked. A quota for gender representivity should therefore only serve as a guideline. Gauteng – a geographically compact province with a largely urban population – is vastly different from the Northern Province. It would therefore be much easier to achieve a gender balance in Gauteng than in the Northern Province – not only as a result of shorter distances and less disruption for women representatives to travel to the seat of government, but also as a result of cultural differences.

Secondly, indiscriminate quotas for women representation has the inherent potential of undermining the image of very capable and effective women, who have fought their way up through prejudice on individual merit. When quotas result in the appointment of women who

are not ready or qualified for positions, their inevitable failure could also do the cause of women's representivity more harm than good. Both these factors could in the long-run undermine the case for women representation.

Merit should therefore be an element of the equation, as strict adherence to quota-driven gender representivity would exclude participation of quality men and women in political institutions, depriving the country of their talents. This form of redress should only be implemented with circumspection and phased out over a period of 10 to 15 years.

CONCLUSION

As can be seen from surveys and polls conducted before the election, women and men interviewed, presented different results on questions of basic needs. While acknowledging that major strides have been made to bring about a better gender balance in our democratic institutions, more should be done to ensure that issues and policies that affect women and their families, receive priority attention in the public/political sphere of society.

Ultimately, we need a deepening of the democratic culture in this country, irrespective of the electoral system we have. That would require the development of quality representatives – men and woman – in all our institutions. Failure to establish proper communication between public representatives and their constituents and to implement mechanisms to enforce political accountability from public representatives, will undoubtedly result in a bloated self-serving political elite – male and female – in our democratic institutions. This will negate the very principles that this democracy was built upon. It will also put the hard-won democracy at risk when the growing dissatisfaction with service delivery and frustration with ineffective representation, is mobilised by undemocratic forces to destabilise the country. South Africa could then again be faced with the grim prospects of revolution.

ENDNOTES

- 1) Amanda Gouws, The gender dimension of the 1999 election. *Election '99*. (Ed) A Reynolds, David Philip: Cape Town.
- 2) Andrew Reynolds, The results. *Election '99*. Table 24, p24.
- 3) Tessa Marcus, Kathy Eales and Adele Wildschut, *Down to earth – land demand in the new South Africa*, March 1996, Indicator Press, University of Natal, p20.
- 4) Amanda Gouws, The gender dimension of the 1999 election, p166.
- 5) Amanda Gouws, The gender dimension of the 1999 election, p167.
- 6) Shireen Hassim, The dual politics of representation: women and electoral politics in South Africa. *Politikon* (1999) 26(2), pp201-212.

The Role and Function of Constituencies: The ANC Perspective

Hope Papo

INTRODUCTION

A number of factors must be taken into consideration when discussing the role and function of constituencies. South Africa's electoral system is currently based on proportional representation (PR) and not on a geographic parliamentary constituency system. Political parties nominate members to serve in the National Assembly and the nine provincial legislatures. This decision was taken during the constitutional negotiations, the aims of which included:

- dealing with our apartheid past of racially based geographic/residential areas
- creating space for as many political voices as possible in the National Assembly and provincial legislatures
- affording an opportunity to women, disabled and other vulnerable groups which are usually not considered by parties in a constituency system.

In the African National Congress' (ANC's) view, many achievements have been registered by South Africa's PR system since 1994. For example, one-third of our elected representatives are women, a number of disabled representatives have been elected and our Parliament and legislatures are comprised of a number of parties. In the Gauteng legislature, of the 137 members of the provincial legislature (MPLs) representing six political parties, 25 are women.

1. THE CURRENT POLITICAL SITUATION

At a conceptual level, constituency work is work that serves a particular constituency or a body of voters who elect a representative. From our view it means work among the people.

Notwithstanding the fact people elected parties not individuals in the 1994 and 1999 elections, members of Parliament (MPs) and MPLs have been deployed by various political parties to various geographic areas to do constituency work. The ANC has divided the electorate and jointly deployed MPs and MPLs in 39 offices throughout Gauteng. This is to maximise impact and to utilise effectively our human resources. Although we have deployed our representatives, these offices are not ANC offices, but exist to serve the entire community. They are funded by the Legislature Constituency Fund and have to be accounted for each year.

Many of our MPs and MPLs come from a history of community resistance struggle that involved taking up the concerns and problems of those communities. The challenge that faced the ANC when it came into government in 1994 (which was new terrain for many of us) was how to translate the rich experiences of our members into meaningful constituency work using the structures of government.

We have learned many lessons from the pre-June 1999 term. From July 1999 we began to put systems in place to overcome some of the problems encountered thus far. Our research indicates that people want to interact constantly with elected representatives in order to raise their concerns and problems, as well as to provide constructive suggestions to the myriad issues facing government.

The ANC expects its MPs and MPLs to do the following concerning constituency work:

- To be constantly available and accessible to the public at parliamentary constituency offices (PCOs).

- To properly manage and supervise the work of the constituency office.
- To attend to public needs, follow up on issues and problems raised and to respond effectively to the needs of the community and the public at large.
- To initiate and attend public and community meetings.
- To organise public forums and sectoral interactions to address the community and its problems.
- To provide leadership to communities on governance and transformation issues.
- To mobilise communities and various sectors to participate effectively in dealing with their problems through community development forums, community policing forums, school governing bodies, community health committees, etc.
- To ensure that regular report back meetings are held to inform communities.

This work is driven by particular monthly and bi-monthly themes. These themes are used to monitor the performance of the public service and to interact with the community.

- January/February: ANC MPLs and MPs visited schools in their constituency areas to gain insight into issues such as teacher/pupil ratios, delivery of textbooks and stationery, the state of facilities and teaching and the functioning of school governing bodies.
- March/April: ANC MPLs and MPs held public meetings to explain the national and provincial budgets.
- May: ANC MPLs and MPs visited clinics and hospitals to address problem areas.
- June/July: ANC MPLs and MPs visited and are still visiting police stations to interact with community policing forums and station commissioners.
- August: Focus will be on women.
- September: Focus will be on conservation and the environment.
- October: Focus will be on job creation, economic growth and welfare matters.

Reports have been compiled and submitted to the relevant MECs for response to various problem areas highlighted during visits. As the Whippery of the ANC Caucus of the Gauteng Legislature, we have introduced a system whereby all MPLs have to write monthly reports about their committee and constituency work. This is one of the key ANC decisions for

all its public representatives. These reports will form a crucial part of evaluating the performance of our members each year. These reports are not aimed at undermining our members but rather to rectify areas of weakness.

In addition, the legislature has put aside Wednesdays for parties to have their caucus meetings and for MPLs to be available at their PCOs. For the ANC, this happens through the availability of MPs during parliamentary constituency periods and the availability of MPLs on Wednesdays, during constituency periods and other days when they do not have meetings at the legislature and their PCOs. In addition, these offices were publicised in the national newspapers. Additional avenues such as schools, churches and other government buildings should be explored to publicise the MPs and MPLs deployed to various constituency areas. In addition, we have created management committees in each PCO to ensure their effective and professional management. We are still discussing the issue of the sectoral deployment of elected representatives to service sectors such as religious, education, labour, health, youth, women, business and others.

2. CURRENT DEBATES

The above efforts do not, however, address all the problems faced by our new parliamentary system. When approaching the current debate on whether our PR system is working effectively or not, we should use the foundation of the past six years.

Some of the proponents of the pure constituency system pretend as if there is no historical background (e.g., a migrant labour system which forced many people to leave their homes to seek employment in the cities) to our decision to use the PR system. They usually give examples of such countries as the United Kingdom, Lesotho and Botswana, where public representatives are elected using a constituency system. What they omit is that many countries that use a constituency system are characterised by a predominantly homogeneous population.

Being elected on a constituency system is not the panacea for accountability and hard work. There are also numerous examples in other countries of individuals who are elected through a constituency system and who end up serving the sectional interests of business and others at the expense of the majority of the

community. These representatives are often funded by those interests.

The ANC is not married to a PR system. We are prepared to discuss any model which will make democracy work for South Africa. A discussion which proposes either a PR or a constituency system will not help us to arrive at an intelligent decision. Such discussions should take our history into consideration as well as events of the past six years. In debating this issue we should also not create an impression that South Africans are unaware that they are electing political parties and not individual public representatives.

Some important questions do, however, need answering. Are some of the problems encountered in our current system of constituency work linked to subjective weaknesses of the various political parties in monitoring their members' work?

Even though elected public representatives account to the constitutional structures of their parties/organisations, is there a role for institutions like the National Assembly and provincial legislatures in aiding this monitoring process since they help fund the constituency offices anyway?

What should the role of community members (particularly supporters of various political parties) and community-based organisations be in monitoring the performance of MPLs and MPs who do not meet certain minimum standards in terms of constituency work?

CONCLUSION

In his speech at the final sitting of the first democratically elected Parliament on 26 March 1999, former State President Nelson Mandela said:

“Look at the work of the committees that have scrutinised legislation and improved it, posed difficult questions to the executive and given the public insight and oversight of government as never before. This is a record in which we take pride. But even as we do so, we must ask whether we need to re-examine our electoral system so as to improve the nature of our relationship as public representatives with the voters?”

This conference is therefore welcome and its deliberations should be fed into the discussion initiated at the National Assembly after the June 1999 elections. As the ANC, we will not be found wanting.

The Role and Function of Constituencies: The Azapo Perspective

Nkutsoeu Motsau

INTRODUCTION

If the new South Africa had adopted a constituency-based electoral system, concerns about the responsibility of publicly elected representatives would have been reduced. A constituency-based system, common to democracies elsewhere in the world, is simple and straightforward: the whole country is divided into constituencies, wherein members of different political parties “fight it out”. The winner becomes accountable and reports to the constituency that elected him/her.

Such a system exists, albeit only to some extent, at local government level where a councillor is not a representative of a party but of the people to whom he/she is accountable. When, for example, a councillor calls a meeting of the residents of his/her constituency – a ward in this instance – people from all walks of life attend, including those from different political parties. This is possible because certain problems – such as muddy and potholed streets – affect all residents equally, irrespective of their political party affiliation or non-affiliation.

1. THE SHORTCOMINGS OF PROPORTIONAL REPRESENTATION

The electoral system currently used by South Africa at national level – i.e., proportional representation (PR) whereby the electorate vote for political parties rather than voting directly for candidates – is harmful to democracy in some important ways: whereas it is the prerogative of parties to compile lists of party candidates, there is no corresponding obligation on the part of these parties to indicate to the voters

who the representative of a particular area is to be, because there are no constituencies.

People therefore go to the polls knowing which party they will vote for but not knowing who their representative is. This is like being blindfolded and given a list to choose from, which, I believe, is not conducive to the promotion and broadening of democratic principles and culture.

By contrast, in a constituency-based type of election, voters know both the party and the candidate for whom they are going to vote.

Furthermore, except where it is prescribed by law, the parties are not obliged, in compiling their list of candidates, to ensure that candidates represent a geographic spread.

Even where the law requires from the national lists of candidates that a certain number be from the provinces, the law does not require that these candidates be geographically representative. In a word, representativeness and accountability is not a point of reference in the present electoral law.

The result is a concentration of candidates – now members of parliament (MPs) in some localities. These MPs often talk of “pooling their resources” by banding together to share offices, computer equipment and telephone costs. Doing so, however, ensures that some communities will never set eyes on an MP, let alone having him/her accountable to them.

Is it any wonder then that there are whole communities which have never seen or heard from an MP since the birth of the new South Africa? Democracy, I am inclined to believe, is defined by direct representation and direct accountability.

2. CONSTITUENCY OFFICES

This dreadful state of affairs is further worsened by the lack of clarity on the part of some MPs, as to the role of constituency offices. The right question to ask here is: are constituency offices meant to serve political party interests or are they to serve the interests of Parliament?

One may well ask what the interests of Parliament are: the main function of Parliament is to make laws. The laws passed by Parliament – irrespective of the size of any party represented there – are not made for, or to be applicable to, any party but to affect all citizens equally. Furthermore, these laws are made in the interests of all citizens.

The scope and effect of a parliamentary law – unlike a political party law which is manifested in the political party’s constitution and applicable to such party’s members only – is all-pervasive and applicable to everyone irrespective of party affiliation and, above all, is expected to be respected and upheld by all. The interests of Parliament are therefore the interests of all the people – or the majority of the people – irrespective of their political party affiliation or inclination.

Constituency offices should therefore not be used to advance political party interests, but the interests of Parliament as a whole. Political parties do receive funding from the Independent Electoral Commission to assist them to function and ostensibly to advance the culture and principles of democracy.

Constituency offices, as a matter of fact, are directly funded by Parliament and ultimately by tax payers. This means, among others, the following:

- Constituency offices must be used as distribution centres of information, providing knowledge about the workings and goings-on in Parliament. In other words, the MPs must take time to educate the people about how the business of Parliament is conducted, how

Parliament is structured and how its functional organs are constituted.

- Constituency offices must be used as places where people can get information and explanations about the laws that Parliament proposes to pass and even those laws that it has passed. That is to say, MPs must involve the people in the law-making process, from the green paper stage right through to the final phase of enactment.
- Constituency offices must be used as the eyes and ears of Parliament to inform Parliament about what is happening at the grassroots level of our society. In short, MPs, through their interaction with their constituencies, will be able to inform Parliament about how the people feel and think about their circumstances. In addition, their presence in these areas will enable them to better explain the conditions of the people in Parliament.
- Constituency offices must be used as effective communication conduits between Parliament and the people. Parliament must speak directly to the people through the constituency offices; in this way a realistic and healthy interaction between the people and Parliament will take place.
- Parliament must ensure that the constituency offices and constituency work is indeed used for advancing the general interests of Parliament. Parliament must therefore put regulations in place detailing how constituency offices should be used and how to account for this use.

CONCLUSION

If the above points are not taken seriously, the so-called PR electoral system as it now stands can neither serve nor promote the culture and principles of democracy. And PR cannot be reformed to accomplish this; it must simply be scrapped and replaced with direct representation.

The Role and Function of Constituencies: The ACDP Perspective

Louis Green

INTRODUCTION: A FRAMEWORK FOR UNDERSTANDING THE MEANING OF CONSTITUENCIES

In answering the question as to what role and function publicly elected representatives should play in the execution of constituency work, that would promote a broad democratic culture in South Africa, let me begin by defining the concept “constituency”. A constituency can be made up of various groups, interests and expectations connected to each other along a common purpose or shared values. I will concentrate on what I loosely call “political constituency”.

A political constituency is not a fixed or unilateral domain. It is fractured along vicissitudinous lines: such constituencies are not loyal, but align themselves as per the situation, simply for reasons of expedience.

Political constituencies also undergo sporadic changes: numeric strength is not a determining factor for testing support for a political party. Support for a particular political party can be determined by how such an organisation may encapsulate and give expression to the burning issues or perceived realities of a group at a given time. At another time, however, the same issues or perceived realities may not have similar significance, thereby making way for a new set of issues that could favour another political party at that given time.

1. HISTORICAL/ POLITICAL FACTORS THAT CAN SHAPE THE FACE OF CONSTITUENCIES

1.1 Despotic regimes

Political constituencies in these ideological regimes can be perceived as centralised, enforced or controlled.

1.2 Democratic dispensations

Political constituencies are less centralised or politicised along ideological lines. Factors such as economics, human rights and freedoms are the drivers that motivate people more so than party allegiances.

1.3 Collaborative politics

Within the relations of “collaborative” politics (democratic or otherwise), political constituencies take on a different meaning. Interest groups/pressure groups/business partnerships can be seen as falling within these relations. In these situations, constituencies and members of political parties operate in partnership, with the intention to gain access to powerful or key persons in order to attain or form certain strategic alliances for specific reasons.

2. FACTORS THAT MAY INFLUENCE THE RELATIONSHIP BETWEEN A CONSTITUENCY AND THE MP

There is a theory which states that the centrality of political parties is decreasing in many parts of the world and this may impact on the importance of constituency work.

I will summarise the salient viewpoints around this debate using an article written by Peter Mair (Katz, R.S & Mair, P [eds] *How parties organise. Party organisations: from civil society to the state.* pp3-20).

In this article, Mair starts with the criticism that using the “mass party” as a model to provide evidence that political parties are declining is incorrect.

The mass model views party organisation as: “defined primarily with reference to their

relationships with civil society; party organisational strength is measured primarily with reference to the size of their membership and the capacity of the party to close off sections of the electorate; and the party structures are understood and assessed primarily in terms of modes of internal representation and accountability.”

The decline of a mass party can be predicted if one of the following situations arises.

Decline may occur when, for instance, leadership groups within the party assign certain privileges on to themselves; when the role of the members is seen as not being critical and when the range of voter participation is diffused over a wide area rather than a controlled and limited space.

In this sense, the mass party model becomes the measurement tool against which the decrease or increase of a political organisation is described. According to the author, the problems associated with this mass party-centred argument are three-fold:

“In the first place, much of the speculation about passing of the mass party and about the imputed decline of the party more generally has ensued without much reference to empirical evidence.

Second, the precise ways in which different models of party organisation may be distinguished still remain relatively unclear.

Third, there still remains a tendency to evaluate party organisations in terms of their relations with civil society.”

For instance, alternative aspects of party organisations – such as those that relate to the party in parliament, or to the party in central office – are ignored.

I will focus on this last point in order to explain the relationship that exists between the member of Parliament (MP) and his/her constituency.

2.1 How political organisations develop

To enable us to understand how political organisations develop, a two part strategy is suggested. In the first strategy – the way parties organise themselves – a number of factors are to be identified: i.e. how the structures of party membership are developed; the way party staff is allocated; the distribution of power inside the organisation; the function of internal party organs; party finances, etc.

The second strategy involves the desegregating or breaking up of the party organisation into at least three different elements, or faces, each of which interacts with the others.

“The first of these factors is the party in public office, that is, the party organisation in government and in parliament.

The second is the party on the ground, that is, the membership organisation, and also potentially the loyal voters. The third face is the party in central office, which is organisationally distinct from the part in public office, and which is usually representative of the party on the ground.”

According to Peter Mair, the study showed that distinguishing between the different faces helped pinpoint the areas where change (increase or decrease) is likely to occur or how the growth of one sector may counterbalance the decline in another sector.

An interesting hypothesis emerged from this study, namely that it was the party on the ground which showed more likelihood for decline, while the “resources of the party in the central office, and especially those of the party in public office, have in fact been strengthened”.

If we give even tentative support to this viewpoint, then this evidence will be significant in terms of how we engage ourselves with our constituencies, and especially whether we view our constituencies as relevant to the career objectives of MPs in general.

This may also help us to understand why politicians can sometimes operate with impunity knowing that the electorate is either fickle in its support of political parties or government institutions, or that parties simply are not of necessity allowed to be accountable to their constituencies.

In fact, this study suggests that it has become acceptable to view the state – as opposed to simply civil society – as the central player for the survival of political parties.

2.2 importance of the state for political parties’ survival

How is this manifested? There are at least five ways that indicate how important the state has become to the functioning and survival of political parties.

- Most parties come to rely increasingly on publicly owned broadcasting networks.

- The salaries of political party personnel is being paid increasingly out of state coffers.
- More and more pressure is being placed on the state to financially support parties in a number of ways.
- State institutions are having greater influence on how parties shape their policy directives or on what course of action is to be taken on particular issues.
- A negative intrusion is the way parties in public office squander or abuse public resources through actions such as corruption and nepotism, etc.

To summarise the above points, it can be stated that:

“regardless of whether we are dealing with state regulations, or party laws, we are always dealing with decisions which have been taken by parliament, and by the political class, and therefore by parties themselves. In other words, it is the parties as a whole, or at least as a majority, which have usually devised and determined the character of these regulations. In this sense, rather than thinking in terms of the state helping the parties, it is perhaps more useful of it being the parties which are helping themselves. In that they are regulating themselves, paying themselves and offering resources to themselves, albeit in the name of the state.”

3. THE ROLE OF CONSTITUENCIES

What is to be made therefore of the role of constituencies? There appears to be very little scope for major influence emanating from the position of the party on the ground. In this sense party members could themselves be marginalised or could be deemed unnecessary or even ignored. In spite of the evidence of decline, however, many parties still consider members to be of value – especially in terms of public opinion and for organisational and political purposes.

The question that remains to be answered is whether the decline of “the party on the ground” (constituencies) is the result of ambivalence or disinterest from the electorate themselves, or whether it is perhaps the indirect result of how parties organise themselves at state or government level.

The reasons why our constituencies may be influenced to decline in importance could result

from how constituencies perceive their roles, rather than to suggest that either the parties or the state play a greater role in this decline. I suggest a variety of reasons for this:

- Very little is achieved by government as more can be accomplished by the groups themselves.
- Party policies are lagging behind trends or changes in worldwide thinking and practice.
- Economic and health systems are better equipped in modern times to deal with day to day pressures/expectancy, which in the past would have been addressed by the political system.
- Government cannot avoid wars, exploitative practices, etc. It is seen to be in partnership with powerful elites, irrespective of the moral makeup of such groups.

How can this disinterest be measured from the point of view of the constituents?

- Lack of funding support for parties by donors, members, constituencies.
- Low percentage of voters at polling stations.
- General closet membership instead of an active promotion of the party in the relevant constituencies.

If there is a trend towards the decline of the importance of membership, should the situation be left as such, or should something be done to re-evaluate and enhance the position of the parties on the ground?

Allow me to attempt to answer this question in closing:

4. THE ACDP COMMUNITARIAN MODEL

The African Christian Democratic Party (ACDP) in this regard suggests the communitarian model as a role for combined political activity, to strengthen the significance of civil society. This must not be done on the basis of political lines, because political parties are better equipped to consolidate their positions of advantage at the level of central government.

Political parties should organise and align themselves at community levels in cooperative models to strengthen the fabric of civil society organisations.

The ACDP views communitarian politics as the collaborative social responsibility of all political parties to interact with communities and civic organisations at the level of civil society (not political) to strengthen civic responsibilities and services.

In other words, the communitarian model has the advantage to reduce the political character of social responsibility and service delivery.

Another advantage is that the state can ensure that democratic governance is enhanced by protecting the system of multi-party democracy.

The communitarian model also helps to clarify the significance of the electorate in terms of their operation within the social spheres, while entrusting to their representative members the responsibility to govern effectively in parliament.

Role and Functions of Constituencies: The UCDP Perspective

Isaac Mfundisi

INTRODUCTION

South Africa's 1994 and 1999 elections were held according to the list proportional representation (PR) system. For the 2004 election, legislation has to be passed whether to come up with a new electoral system, to retain the PR system or to refine the PR system in one way or another.

Parties will surely have to present their positions when that time comes. As a party, the United Christian Democratic Party (UCDP) should be prepared so that it is not taken by surprise.

1. WHICH IS THE BEST SYSTEM?

This is difficult to answer and this paper is not meant to be the final word on this matter, rather it should prompt the party to start conducting research in this regard.

There are numerous electoral systems. This paper will, however, dwell on the plurality system, the majority system and the PR system.

1.1 Plurality vote

In this system the candidate who polls more votes than others – not necessarily more than the combined opposition – is declared the winner.

If more candidates contest a constituency in the elections, chances are that the winning candidates will have less than half the votes.

1.2 Majority vote

In this system a party or a candidate contesting must poll more than 50% of the votes in the constituency. The winning candidates or party must win more than 50% of the combined

opposition. This system ensures that the elected representative or party has the support of the majority of voters.

A problem, however, exists with this type of system; there is the possibility of an electoral deadlock if no candidate secures 50% of the vote. Usually a second round of elections (second ballot) is required.

The two methods tend to reward the strongest party and handicap the weaker ones. This is true if support of the smaller parties is rooted in ethnic, religious or social minorities. To escape this, smaller parties should have a regionally concentrated base.

1.3 Proportional representation

This method distributes seats proportionally to the distribution of popular votes among competing parties or candidates. It seeks to overcome the distribution imbalances that result from majority and plurality formulas. Owing to the multi-member constituencies in PR, parties with neither majority nor plurality of the popular vote can still win legislative representation.

PR is an ideal that is sought after but only appropriated. The size of the electoral district is the critical factor; the larger the electoral district in terms of seats, the more proportional the representation will be.

1.4 The T. Hare Formula

This formula works on single transferable votes. A quota of votes is set for ranked candidates on the list and when a candidate reaches the quota, the surplus is transferred to the next candidate on the list until all the seats are covered.

1.5 PR List

In this case voters choose among a party compiled list of candidates rather than among individual candidates. Computations are based on party affiliation. Seats that a party wins are allocated to its candidates in the order in which they appear on the party list.

There are two ways in which results are determined using party list PR: the largest average formula and the greatest remainder formula. Both employ some type of electoral quota.

1.5.1 The largest average formula

In this method, the number of votes won by each party is divided by the number of seats held by the party plus one. The first seat is awarded to the party with the highest number of votes. Since no seats have been allocated, the initial denominator is one. When a party wins a seat its formula denominator is increased by one and hence the party's chances of winning the next seat are reduced. Available seats are awarded one at a time to the party with the greatest average. Party totals are used in the calculations. No transfer of ballots takes place. This method is used mainly in Austria, Belgium, Finland and Switzerland.

This method – called the d'Hondt formula after its Belgium inventor – tends to over-reward larger parties and to reduce the chances of smaller parties having legislative representation. The laque variation of the d'Hondt formula (used in Denmark, Norway and Sweden) reduces the reward to larger parties but also handicaps smaller parties.

1.5.2 The greatest remainder formula

The total popular vote won by each party is divided by the quota and a seat is awarded as many times as the party total contains the full quota. If all seats are awarded in this manner, the election is complete, but such a situation is unlikely. Seats that were not won by the full quotas are then awarded to parties with the largest remainder of votes after the quota has been subtracted from each party's total vote for each seat it was awarded. Seats are awarded sequentially to the parties with the largest remainders until the allocated seats have been awarded.

The greatest remainder formula (the one used by South Africa in 1999) given large constituencies, yields results close to the proportional

ideal. Small parties fare better when the greatest remainder formula is used. The greatest remainder formula is used in Israel, Italy, Luxembourg and for some elections in Denmark.

The majority or plural methods of voting are usually referred to as the winner-takes-all approach and notwithstanding their nature are not experienced as unduly deprivational or restrictive. These voting methods are best suited to countries with relatively stable cultures where fluctuations in electoral support from election to election is no not terribly important.

PR is more likely to be found in societies with traditional, ethnic, linguistic and religious cleavages or in societies experiencing pervasive class and ideological conflicts.

2. ADVANTAGES OF THE PLURALITY-MAJORITY (OR FIRST-PAST-THE-POST – FPTP) SYSTEM

- It is defended because of its simplicity and tendency to produce representatives beholden to geographic areas.
- It provides a clear-cut choice between parties.
- It gives rise to single-party governments.
- It gives rise to coherent parliamentary opposition.
- It is advantageous to broadly based political parties.
- It excludes extremist parties from parliamentary representation.
- It retains the link between constituents and their member of Parliament (MP).
- It allows voters to choose between people rather than just between parties.
- It provides the opportunity for popular independent candidates to be elected.
- It is simple to use and to understand.

3. DISADVANTAGES OF THE FPTP SYSTEM

- It excludes parties from “fair” representation. (This refers to a situation where a party or candidate polls some 105 votes and gets no representation whatsoever in the legislature).
- It excludes minorities from fair representation. (The most broadly acceptable candidate is fielded to distract attention from the lesser known candidates).
- It invariably excludes women from parliament.
- It encourages the development of political parties based on clan, ethnicity or region.
- It exaggerates “regional fiefdoms” where one party wins all seats in a province or district.

- It leaves a large number of votes “wasted” which do not go towards the election of any candidate.
- It tends to be unresponsive to changes in public opinion.
- It is susceptible to the open manipulation of votes and electoral boundaries.

4. ADVANTAGES OF THE PR SYSTEM

- It facilitates more representative legislatures.
- It translates votes cast into seats and thus avoids some of the “unfair” results thrown up by the plurality-majority electoral system.
- Very few votes get wasted.
- It facilitates minority party access to representation.
- It encourages parties to present inclusive and socially diverse lists of candidates.
- It makes it more likely that representatives of the minority cultures/groups are elected.
- Women are more likely to be elected.
- It restricts the growth of “regional fiefdoms”.
- It leads to more efficient government. (It is argued that under this system government longevity is almost guaranteed and voter participation is high).
- It makes power sharing between parties and interest groups visible.

5. DISADVANTAGES OF THE PR SYSTEM

- Two broad themes stand out against this system: the tendency of the PR system to give rise to coalition governments AND its failure to provide a strong geographical linkage between an MP and his/her electorate.
- Governing coalitions have insufficient common ground.

- Coalition governments lead to legislative gridlock and a subsequent inability to carry out coherent policies.
- It may lead to a destabilising fragmentation of the party system. Smaller parties may hold larger parties to ransom during negotiations.
- With this system it is difficult to remove a reasonably sized party from power.
- It weakens the link between MPs and their constituents. Voters cannot easily identify the persons who represent them and therefore cannot easily reject an individual if they feel he/she is unsuitable.
- This system is criticised for leaving too much power entrenched within party headquarters and wielded by senior party leadership. A candidate’s position on the list is dependent on the party bosses. In some cases the candidate’s relationship with the electorate is disregarded.
- This system is based on party structures and places those who have no parties or whose parties are still developing at a disadvantage.
- PR systems are still unfamiliar and too complex for voters to understand and for the electoral administration to implement.

CONCLUSION

As indicated at the beginning of this paper, the author is merely bringing to light what he knows about electoral systems. His arguments are not conclusive, and he therefore urges those interested to investigate the matter further. The author therefore reserves his opinion lest he influence others before they apply their minds to the subject.

Programme

Wednesday 5 July 2000

08:00 Registration

Plenary

Chairperson: Mr Vusi Sibiya, *Gauteng Office Manager, Khululekani Institute for Democracy*

09:00 Chairperson's Remarks

09:10 Opening Remarks

Dr Michael Lange, *Resident Representative, Konrad Adenauer Foundation – Johannesburg*

09:20 Welcoming Remarks

Mr Campbell Lyons, *Executive Director, Khululekani Institute for Democracy*

09:30 Keynote Address: The Future of the Constituency System for Elected Representatives in South Africa

Fr Smangaliso Mkhathshwa, *MP; Deputy Minister of Education; Chairperson of the Board of Directors, Khululekani Institute for Democracy*

10:00 PANEL DISCUSSIONS

Panel 1: Accountability

CHAIRPERSON: MR THENDO RATSHITANGA, *MANAGER, SPEAKER'S OFFICE: GAUTENG LEGISLATURE*

PANELLISTS

Do Constituency Systems (Partial or Full) Necessarily Entail Greater Accountability by Elected Public Representatives Towards Citizens?

Mr Carl Werth, *Democratic Party National Council*

Proportional Systems of Representation: Reflections on the South African Experience

Prof. Siphon Seepe, *Vista University*

Panel 2: Political Diversity and Representivity

CHAIRPERSON: MR PAUL SEHLADELO, *COORDINATOR: DEVELOPMENT UNIT, GAUTENG DEPARTMENT OF EDUCATION, N6 DISTRICT*

Programme

PANELLISTS

The Implications of Current and Potential Future Electoral Options for Political Diversity and Broad Political Representation in Our Democratic Institutions

Prof. Tom Lodge, *Head of the Department, Political Studies, Wits University*

Prof. Yolanda Sadie, *Department of Political Studies, Rand Afrikaans University*

- **The IFP Perspective**

Ms Sybil Seaton, *MP, Inkatha Freedom Party*

- **The NNP Perspective**

Mr Francois Beukman, *MP, New National Party*

12:00 Reports from panel discussions

14:15 PANEL DISCUSSIONS

Panel 3: Gender Representivity

CHAIRPERSON: MR PANYAZA LESUFI, *PRO, KAYALAMI METROPOLITAN COUNCIL*

PANELLISTS

The Implications of Current and Potential Future Electoral Options for Gender Representivity in Our Democratic Institutions

Prof. Amanda Gouws, *Department of Political Science, Stellenbosch University*

Ms Mihloti Mathye, *Gender Commission*

- **The NNP Perspective**

Ms Juli Kilian, *New National Party Whip, Gauteng Legislature*

Panel 4: Role and Function of Constituencies

CHAIRPERSON: DR IAN LIEBENBERG, *HUMAN SCIENCES RESEARCH COUNCIL*

PANELLISTS

The Role and Function of Constituencies

- **The ANC Perspective**

Mr Hope Papo, *MPL, African National Congress*

- **The Azapo Perspective**

Mr Nkutsou Motsau, *Azanian People's Organisation*

- **The ACDP Perspective**

Mr Louis Green, *MP, African Christian Democratic Party*

- **The UCDP Perspective**

Mr Isaac Mfundisi, *MPL, United Christian Democratic Party*

16:30 Reports from panel discussions

17:15 Concluding Remarks

Mr Vusi Sibiya, *Gauteng Office Manager, Khululekani Institute for Democracy*