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The prospects for a vigorous parliamentary opposition in a democratic South Africa

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CHAPTER FIVE.

Conclusions and Prognosis.

This study has attempted to highlight some of the key factors affecting the performance of the opposition parties cum politics in South Africa. It equally had a discourse on the meaning of democracy and the various applications and perceptions of opposition. The core of the work and which is its central argument has been the safeguarding of democratic practice and accountability through a vigorous parliamentary opposition.

A situation in which the activity of politics is devalued is inimical to parliamentary democracy. Parliament, after all, is fundamentally about debate – "rhetoric" in the classical Greek sense – and the transacting of the people's business in public. It is also about the right to dissent in a civilized manner. Genuine political opposition is a necessary attribute of democracy, tolerance, and trust in the ability of citizens to resolve differences by peaceful means. The existence of an opposition, without which politics ceases and administration takes over, is indispensable to the functioning of parliamentary political systems. If these systems are perceived as not working well – as being "seriously overloaded," to quote a distinguished Canadian Opposition Leader, the Hon. Robert Stanfield – it may be the rights of political oppositions which are immediately and most visibly at stake, but ultimately the threat is to democratic rights and freedoms generally.[152] One-party dominance becomes a threat to democracy when the governing party is assured of electoral victory and, as a result, "sees less and less need to respond to public opinion"[153]

National Party leader in New Zealand, Dr Don Brash says the Opposition represents an alternative government, and is responsible for challenging the policies of the government and producing different policies where appropriate.[154] Dr Brash says one of the most important jobs of the Opposition is to constantly question the Government. "Any Government has to remain answerable to the public at all times, and a good Opposition can put the spotlight on serious issues and have them resolved quickly". He says an active Opposition will also debate legislation vigorously in the House and during the Select Committee process to ensure the legislation receives careful consideration. Dr

[152] Gerald Schmitz, 'The Opposition in a Parliamentary System' Paper submitted to Political and Social Affairs Division, December, 1988.
[153] Africa C. (etal) 'Political Party Support in South Africa; trends since 1994. Afrobarometer Briefing Paper, No.6
[154] Don Brash, (Opposition leader, New Zealand) http://www.decisionmaker.co.nz/guide2003/hgw/oppose.html

Brash says being in Opposition is not just about opposing the Government "There are occasions when the Opposition agrees with the Government. If the solution proposed by the Government has wide support, and is soundly based, then it's only natural for the Opposition to agree"[155].

President Thabo Mbeki equally recognized the important role the opposition could play in a democratic setting. He stated amongst other things that "Democracy is not a theoretical debate. It is about real people and real problems that require solutions. In the end, the opposition as a party will have to take a decision about how they proceed beyond the realm of theory, without being contemptuous of theory, to help arrive at the real solutions that have to be found to solve the very real problems which face all of us as these South Africans".[156]If we are to fully understand President Mbeki's statement, then we will equally appreciate the importance of a vigorous parliamentary opposition in a polity.

The opinion of this paper is that there is need to 'break-up' the monolithic nature of the ANC if the opposition is to become vibrant. This would allow those voices effectively silenced through participation in alliance politics to be heard and would allow people alienated by the ANC's centrist economic policies to push for a solution they feel better suits their needs; following Wray Quentin argument that an effective and vibrant opposition that enjoys significant public support is the only long-term protection against abuse of power.[157] There had been many predictions that the party would experience a drop in support in future elections. Two main reasons were regularly cited. The first was its declining salience as the party of liberation. The second was that failures of "delivery" were likely to have eroded its constituency. Other factors from Thabo Mbeki's alleged lack of magnetism through to the ANC's perceived flaws around job creation, HIV/AIDS, Zimbabwe and even the Jacob Zuma corruption charges were all regularly mentioned. The corruption charges against him involved his dealings with his former financial adviser, and the court found that Mr Schabir Shaik had had a "generally corrupt relationship" with the former deputy president.[158]Mr.

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[155] Ibid

[156] Thabo Mbeki address, Closing the debate at the opening of Parliament, 30th June, 1999.

[157]Wray Quentin, 'For the sake of democracy, opposition to the ANC must come from the left', Business Report, April 18, 2004. (http://www.businessreport.co.za/index.php?fsectionid=552&fArticle1d=406662)

[158] BBC News, 'South African Leader sacks deputy', Tuesday, 14th June 2005. (http://news.bbc.co.uk/2/hi/africa/4092064.stm)

Shaik was convicted of corruption and was sentenced to effective fifteen years imprisonment while Zuma is still facing the corrupt charges against him and this has gladdened the opposition. Tony Leon, leader of the Democratic Alliance, praised Mr Mbeki for upholding "principle over politics", a sentiment that was echoed by other opposition parties.[159]This issue is currently being viewed by analysts as a potential time-bomb which could split the ANC as Zuma still commands a respectable influence amongst their supporters.

The ANC has been accused at various times of using the “race card” at cost to its commitment to non-racialism, whilst its black empowerment strategies have received a mixed reaction amongst the Coloureds and Indians, some of who claim to be newly disadvantaged relative to Africans. Throughout the last parliament, there were numerous tensions between the ANC and COSATU, unarguably its most powerful partner in the “Tripartite Alliance”, largely around the government’s commitment to macro-economic policies which trade unionists and leftists claimed were responsible for the destruction of jobs and the growth of unemployment. And as the party in power, it was often accused during the last parliament – even from those within its own constituency of impoverished citizens – of multiple failings of delivery, of water, electricity, housing, health-care and welfare. In as much as/ notwithstanding, the government has astutely argued that the legacy of apartheid in terms of social deficits was so great that no government or party which had been in power for ten years could hope to face an electorate impatient for improvements without some unavoidable costs.

But it is a known fact there was internal divisions within the tripartite alliance and long-term governments often lose power because of such divisions. And despite denials by the ANC, differences between the ANC and its tripartite alliance partners, COSATU and SACP, had caused significant policy rifts and bitter arguments during the last parliament. The government was also the buff of increased criticism from new social movement organizations such as the Treatment Action Campaign (TAC) and local “crisis groups”.
These divisions within the “ANC family” are seen by numerous observers as potentially productive of a new opposition initiative to the ANC’s left, which in the longer term could materialize and cause a shift in the voting by the electorate. The party’s tendencies

[159] Ibid

toward intolerance of public criticism and centralization of power are worrisome from the perspective of increasing democratic accountability, responsiveness and transparency. When one party controls so much of the National Assembly, the most important debates take place within the caucus of the ruling party. If then the ruling party exhibits signs of intolerance of dissent and centralization of power, when it muffles vibrant debate, this becomes worrying to those concerned with the continued democratic development of South Africa and the prospects for the opposition as an alternative government. But unfortunately, to date, the opposition has barely presented itself as a viable alternative to the ANC; as a group of parties with leadership and policy platforms that are attractive to a wide variety of South Africans. The opposition's continuing inability to present itself as a viable, credible and genuine alternative to the ANC remains a major trend in South African politics.

The opposition should brace up the challenge and counter the ANC's rhetorics and manipulations, especially during election times, of portraying them in bad light. It is well known that the ANC has manipulated its dominant position to intentionally organize political discourse to demonize the opposition as racists and reinforces one social cleavage, that between blacks and whites into a political white – black opposition that has prevented the successful politicization of competing lines of division, these based on interest groups, ethnic identities or class.

The DA which is the official opposition in the parliament must re-structure its programme of action. It is not beneficial to just oppose all ANC's actions in the name of opposition, but rather constructive opposition should be preferable in order to attract the support of the electorate; especially the Africans vote. What the opposition needs to do is to try and convince the electorate that they will honour their promises. Usually when there is a change of government, voters have a tendency to think that the new party in power will reverse all of the decisions that it opposed when it was on the other side of the house. The constant failure of political parties to do so breeds its own strain of cynicism in the electorate – based on the perception that politicians will say whatever it takes to get elected.[160]

Also, the party's potential to develop into an alternative party capable of mounting a real electoral challenge to the ANC will remain limited unless the party radically changes tacks and recruit a large

[160] Heat Joseph, 'What is the role of the opposition?, Montreal Gazette, August 20, 2003.

cohort of black supporters, not just at the mass level but also in leadership. The DA which although made small inroads into the black electorate in the 2004 elections, is yet to break through to significant support levels. The party has yet to genuinely transform its leadership to include a majority of Black, Coloured and Indian leaders. At present, most of its leaders are white and those who are not have histories from the struggle era that render them suspect amongst many South Africans. Until the party's national leadership changes, the DA is bound to remain perceived by many South Africans as representative of minority (interpreted as whites), interests.

Having said this, the confrontation that has arisen on occasion between the ANC and adversarial voices within COSATU did succeed in keeping government on its toes and at the same time raise hopes that chances are, that there could be a split in the future[161]. Again, the party leadership's intolerance of dissenting viewpoints will work against it in future; as sections of the alliance continue to demonstrate openly their refusal to conform to the about-turn in the party's neo-liberal economic policy since 1994 is an indication that the Left can still severe the long standing ties with the ANC. For example, reports that the ruling party's monolithic hold on power is showing distinct cracks as strongholds have splintered from Khutsong in Gauteng, where residents have staged running battles with authorities, to Khayelitsha in the Western Cape, where a feisty group of independents has challenged for power and Matatiele in KZN where the former ANC mayor has formed a breakaway party. Three trade unions affiliated to the party's ally, the Congress of South African Trade Unions (COSATU) had refused to campaign for the ANC in the March 2006 Provincial elections. COSATU itself gave lukewarm support to the ANC's campaign as did the South African Communist Party (SACP). Communist leaders planned to stand as independents in several provinces, while the party faced a strong lobby to go it alone in the polls.

Notwithstanding the fact that the ANC is in no danger of losing the elections, the party arguably has lost the unquestioning struggle loyalty and the patience of its grassroots, which have returned it to power with large majorities since 1994. The fractures in Khutsong, Khayelitsha and Matatiele suggest that local supporters will be less tolerant of Pretoria's penchant for high-handed, technocratic governance and Luthuli's House's imposition of candidates. The Khutsong upheavals and the

[161] Brooks Heidi, 'The Dominant Party System: Challenges for South Africa's Second Decade of Democracy' EISA Occasional Paper Number 25, October, 2004.

Matatiele constitutional court challenge were indicative of an electorate that "is taking on the bull that is the ANC" said Protas Mdlala, an independent political analyst, in my interview with him. By the government's own admission, local government is teetering on the brink of collapse, with some councils spending less than 30% of their capital budgets. This has sparked about 900 delivery protests over the past two years, according to figures supplied by Minister of safety and security Charles Ngakula[162].

COSATU has been visibly less active in campaigning for the ANC and several COSATU leaders confirmed that this was a symptom of deeper strains in the Tripartite Alliance. COSATU earlier hinted after its central executive committee meeting that some of its
affiliates opposed voting – such as the South African Municipal Workers Union, the South African Democratic Teachers Union and the South African Transport and Allied
Workers Union; which have serious grievances about how some parts of government have handled collective bargaining and workers conditions.

From the foregoing, if the tripartite alliance is increasingly strained, there are also some doubts about the oft-presumed robustness of the ANC's voter base. Three important cautions are in order for those who view the movement's dominance as inevitable. Firstly, a growing number of voters express themselves as dissatisfied with the performance of the government and indicate that they might be available to an appropriate opposition party. The ANC is therefore not insulated against effective challenge should its performance deteriorate. It may be the current absence of credible opposition parties reflecting the interests of the discontented, rather than unshakeable affiliation that secures current ANC control. Secondly, the implications for ANC government's slow economic growth, increasing unemployment, AIDS and changing patterns of income and wealth distribution are little understood. Thirdly, while analysts have explored the potential for urban populist opposition, I do not know very much about the too-easily assumed control of the ANC over the political allegiance of the rural poor. The social forces that can often destroy or sustain democracy often lie in the countryside, a fact overlooked by most contemporary democratization scholars.[163] While the black middle class

[162]Vicki Robinson (etal) 'The ANC Monolith starts to crack' Mail & Guardian 24th February, 2006. (online)
[163] Butler Anthony, 'South Africa's Political Futures: The Positive and Negative Implications of One-party Dominance' Paper presented at the Electoral Institute of Southern Africa , 7th August 2002.

and organized labour each has a voice in the government, the far larger constituencies of the rural unemployed, the informally employed, the old and increasingly AIDS victims, have little leverage within the system/government.

This has resulted in further growth in political ferment as 97 political parties contested the 2006 Provincial election – a 20% growth from 2000. There is a 50% increase in the number of candidates competing. Many independents have grouped themselves into parties and civic organizations to wield more power; and nearly all these have been formed in ANC strongholds. According to Fakir, although independent organizations might not have the institutional infrastructure, they touch people's political frustrations; they are connected and they have a deep penetration. People have seen that there is an alternative political project.[164]

Not all commentators have greeted ANC dominance and the incorporation of the opposition as either necessary or positive. Critics on the right and radical left have each argued that the ANC is progressively closing down opposition and building the foundations of a new authoritarianism. "Democracy", according to rightist critics Giliomee and Simkins, 'rests on countervailing power able to check tendencies towards authoritarian domination.[165]The best counter is undoubtedly the presence of a strong opposition party that can guard against the erosion of the autonomy of democratic institutions and can replace a governing party that has outstayed its welcome. Such skeptics argue that the ruling party is representing itself as the state rather than as a temporary incumbent, while other groups are losing the autonomy they require to compete. Ultimately the ANC's sheer preponderance of political power will allow it to rule unilaterally and to abuse the so called "advantages of incumbency" unless there is a strong, vibrant, adversarial and robust opposition can establish the preconditions for the longer-term entrenchment of liberal democracy in South Africa.

I disagree with Schrire, as he had emphasized, political competition is currently structured around historical (and therefore, he argues, ethnic or racial) affiliations, with no compelling ideological or policy conflicts setting the government against the opposition. For this reason, adversarial opposition

[164]Vicki Robinson (etal) 'The ANC Monolith starts to crack' Mail & Guardian 24th February, 2006. (online)
[165] Giliomee Herman & Simkins Charles (eds.), *The Awkward Embrace: One Party-Domination and Democracy*, Cape Town: Tafelberg, 1999. P.340

- such as the DA's stance will inevitably be interpreted in polarizing racial or ethnic terms.[166]He therefore opted for co-operative politics – as when the National Party helped stave off economic crisis by its participation in the 1994-96 government of national unity, or in the Inkatha Freedom Party's alliance with the ANC which helped to contain violence in KwaZuluNatal. He posited that anti-ANC coalition building, moreover, undermines the benefits of co-operation and courts a dangerous ANC counter-reaction.

Contrary to some divergent views, I still think that South Africa can afford to have robust opposition built around sound economic policies and across racial or ethnic boundaries. This is because the longer the ANC remains dominant, both electorally and in the executive, the more harm may be caused by state-party integration, patronage politics, opposition de-legitimation and the abuse of incumbency, such as the accusations of high-level corruption, naivety and cost escalation that was the hallmark of the major arms procurement deal by the government officials. The government's determination to control potential fallout from the unexpectedly probing investigations and to protect senior politicians and officials, however, led it to undermine the select committee on public accounts, the legislature's key and formerly non-partisan oversight institution. It is very important to note that it is not because the ANC is bad or corrupt that strong opposition is required, rather it is because opposition is considered – strengthening the political alternatives – as a blessing in a democracy. William Rees-Mogg, in another context reminds us that even medieval Popes, some of whom were holy men, plundered Rome to enrich their nephews: they could not be removed by their subjects.[167] The power to "throw the rascals out" keeps government under control. So it is in South Africa's provinces/regions where the ANC rules with little opposition (democratic one-party provinces) that corruption, unauthorized expenditure and lack of control have been strong features of the government.[168]

If the opposition in South Africa must function to hold the government to account for its commissions or omissions; if the opposition parties in South Africa must function as organs for

[166] Schire Robert, 'The Realities of Opposition in South Africa: Legitimacy, Strategies and Consequences', Democratization, Vol.8, No.1, 2001. pp.135-48
[167] William Rees-Mogg cited in Welsh David (ed.), *Hope and Fear: Reflections of a Democrat Tony Leon*, Jonathan Ball Publishers, Johannesburg, 1998. P.106
[168] Ibid

aggregating the interests of the political community, which often culminates in the articulation/projection of certain preferences, values and ideologies into the policy and law making process (eg in Parliament) and in the budgeting process; if they are to function as organs for promoting responsible and reasoned debate, which promotes 'national conversation' and pushes democratic discussion to a higher level of political development and maturity; if they are to present a viable alternative to the incumbent government by designing alternative ideas, principles and policies for governing society; then they must come to the 'party'. They must rise to the ANC challenges through a vibrant and vigorous parliamentary opposition rather than vying for the "official opposition to the official opposition" title in each election.[169]It is only a vibrant opposition that will essentially be a "government-in-the-waiting" for a culture of democracy to take hold.

[169] Wray Quentin; For the sake of democracy, opposition to the ANC must come from the left, Business report, April 18, 2004. (http://www.businessreport.co.za/index.php?fsectionid=552&fArticle1d=406662)